

Mr. REECE: Committee on Military Affairs. H. R. 10611. A bill to correct the military record of Estle David; with amendments (Rept. No. 1224). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 11206. A bill to correct the military record of John T. O'Neil; with amendments (Rept. No. 1225). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11660) granting an increase of pension to Frances D. Grishaw; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11606) granting an increase of pension to Catherine Bridgeford; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11647) granting a pension to Amanda Armstrong; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11648) granting a pension to Fannie E. Myers; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GASQUE: A bill (H. R. 11701) to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887; to the Committee on the District of Columbia.

By Mr. KNUTSON: A bill (H. R. 11702) granting the consent of Congress to the village of Spooner, Minn., to construct a bridge across the Rainy River; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of Arkansas: A bill (H. R. 11703) granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of St. Charles, in the county of Arkansas, State of Arkansas; to the Committee on Interstate and Foreign Commerce.

By Mr. GARBER: A bill (H. R. 11704) to promote the flow of foreign commerce through all ports of the United States and to prevent the maintenance of port differentials and other unwarranted rate handicaps; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHNEIDER: A bill (H. R. 11705) to prevent the use of stop watches or similar devices in the Postal Service and guaranteeing to postal employees their lawful rights; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: A bill (H. R. 11706) to authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYLAN: Joint resolution (H. J. Res. 323) requesting the President to appoint a minister to represent the Government of the United States at the seat of Government of the Irish Free State at Dublin, Ireland; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GIBSON: A bill (H. R. 11707) granting an increase of pension to Lurana Silsby; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 11708) granting a pension to Joseph D. Killerlain; to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 11709) to provide for the payment of the amount of war-risk insurance to a beneficiary designated by Staff Sergt. Leslie I. Wright, deceased; to the Committee on War Claims.

By Mr. KNUTSON: A bill (H. R. 11710) granting an increase of pension to Edidius J. Fehr; to the Committee on Pensions.

Also, a bill (H. R. 11711) granting an increase of pension to Paulinus G. Huhn; to the Committee on Pensions.

By Mr. MAGEE of New York: A bill (H. R. 11712) granting an increase of pension to Caroline M. Welch; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 11713) granting an increase of pension to Elimina C. Stanley; to the Committee on Invalid Pensions.

By Mr. SCHAFER: A bill (H. R. 11714) granting a pension to Edward H. Van Epps; to the Committee on Pensions. Also, a bill (H. R. 11715) for the relief of Peter Moreau; to the Committee on Military Affairs.

By Mr. SWOOPE: A bill (H. R. 11716) granting an increase of pension to Elizabeth R. Carlisle; to the Committee on Invalid Pensions.

By Mr. TABER: A bill (H. R. 11717) granting an increase of pension to Harriet J. Webber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11718) placing the name of James M. Wells on the pension roll of the Post Office Department; to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 11719) granting a pension to Susan McDonald; to the Committee on Invalid Pensions.

By Mr. WILSON of Indiana: A bill (H. R. 11720) granting an increase of pension to Mary E. Hickman; to the Committee on Invalid Pensions.

By Mr. WRIGHT: A bill (H. R. 11721) granting a pension to Texas Hall; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3472. By Mr. GALLIVAN: Petition of Metropolitan Lithograph & Publishing Co., Boston, Mass., protesting against any increase of rates on souvenir post cards; to the Committee on the Post Office and Post Roads.

3473. Also, petition of Brotherhood Temple, Ohabel Shalom, Boston, Mass., recommending early and favorable consideration of the joint resolution now pending in Congress providing for the admission of approximately 8,000 immigrants now stranded in various European ports; to the Committee on Immigration and Naturalization.

3474. By Mr. GARBER: Petition of Charles West, Tulsa, Okla., asking that the appropriation for the War Department for the civilian military training camps be sufficient for training 40,000 men instead of 29,000; to the Committee on Military Affairs.

3475. Also, petition of Post No. 8, American Legion, Casa Grande, Ariz., urging that the Bursum bill (S. 33) and Lineberger bill (H. R. 6484) be passed early and favorably; to the Committee on Pensions.

3476. Also, petition of residents of Texas and Noble Counties, Okla., to the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218) nor to pass any other religious legislation which may be pending; to the Committee on the District of Columbia.

3477. By Mr. KINDRED: Petition of the Merchants' Association of New York, favoring the passage of House bill 11503, authorizing the President in certain cases to modify passport visé requirements; to the Committee on Foreign Affairs.

3478. By Mr. O'CONNELL of New York: Petition of the Merchants' Association of New York, favoring the passage of House bill 11503, authorizing the President in certain cases to modify visé requirements; to the Committee on Foreign Affairs.

3479. By Mr. SPEAKS: Papers to accompany House bill 11686, granting an increase of pension to Elizabeth A. Brown; to the Committee on Invalid Pensions.

SENATE

SATURDAY, January 17, 1925

(Legislative day of Thursday, January 15, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, one of its clerks, announced that the House had passed the bill (S. 2975) validating certain applications for and entries of public lands, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had concurred in the following Senate concurrent resolutions:

S. Con. Res. 25. Concurrent resolution relating to the election of President and Vice President of the United States; and

S. Con. Res. 26. Concurrent resolution to correct an error in the enrollment of the bill (S. 387) to prescribe the method of capital punishment in the District of Columbia.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2689. An act to consolidate certain lands within the Snoqualmie National Forest;

H. R. 5204. An act to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian, Polk County, in the State of Florida, and for other purposes;

H. R. 5555. An act to include certain lands in the county of Eldorado, Calif., in the Eldorado National Forest, Calif., and for other purposes;

H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 6713. An act to define trespass on coal land of the United States and to provide a penalty therefor;

H. R. 6853. An act to relinquish the title of the United States to the land in the preemption claim of William Weekley, situated in the county of Baldwin, State of Alabama;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 9028. An act to authorize the addition of certain lands to the Whitman National Forest;

H. R. 9029. An act to promote the mining of potash on the public domain;

H. R. 9494. An act to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9688. An act granting public lands to the city of Red Bluffs, Calif., for a public park;

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 10411. An act granting desert-land entrymen an extension of time for making final proof;

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.";

H. R. 10770. An act granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes;

H. R. 11211. An act for the inclusion of certain lands in the Plumas National Forest, the Eldorado National Forest, the Stanislaus National Forest, the Shasta National Forest, and the Tahoe National Forest, and for other purposes;

H. R. 11356. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes;

H. R. 11357. An act authorizing the President of the United States to restore to the public domain lands reserved by public proclamation as national monuments and validating any such restorations heretofore so made by Executive order; and

H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands."

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The PRESIDENT pro tempore laid before the Senate a communication from Hamilton & Hamilton, attorneys, transmitting, in compliance with law, the annual report of the Georgetown Barge, Dock, Elevator & Railway Co., which was referred to the Committee on the District of Columbia.

NOBEL PEACE PRIZE

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of State, relative to proposals of candidates for the Nobel Peace Prize for the year 1925, which, with the accompanying paper, was ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, January 13, 1925.

The Hon. ALBERT S. CUMMINS,

President pro tempore of the Senate.

SIR: The Nobel Committee of the Norwegian Parliament has forwarded to the Department of State a number of copies of the committee's circular furnishing information with regard to proposals of candidates for the Nobel Peace Prize for the year 1925, with a letter requesting that the copies be distributed among those persons in the United States qualified to propose candidates.

Accordingly I have the honor to inclose a copy of the circular for the information of the Senate.

I have the honor to be, sir,

Your obedient servant,

JOSEPH C. GREW,

Acting Secretary of State.

(Inclosure: Circular of the Nobel Committee of the Norwegian Parliament)

DET NORSKE STORTINGS NOBELKOMITE. NOBEL COMMITTEE OF THE NORWEGIAN PARLIAMENT

NOBEL PEACE PRIZE

All proposals of candidates for the Nobel Peace Prize, which is to be distributed December 10, 1925, must, in order to be taken into consideration, be laid before the Nobel Committee of the Norwegian Parliament by a duly qualified person before the 1st of February of the same year.

Any one of the following persons is held to be duly qualified: (a) Members and late members of the Nobel Committee of the Norwegian Parliament, as well as the advisers appointed at the Norwegian Nobel Institute; (b) members of Parliament and members of government of the different States, as well as members of the Interparliamentary Union; (c) members of the International Arbitration Court at The Hague; (d) members of the Commission of the Permanent International Peace Bureau; (e) members and associates of the Institute of International Law; (f) university professors of political science and of law, of history, and of philosophy; and (g) persons who have received the Nobel Peace Prize.

The Nobel Peace Prize may also be accorded to institutions or associations.

According to the Code of Statutes, section 8, the grounds upon which any proposal is made must be stated, and handed in along with such papers and other documents as may therein be referred to.

According to section 8, every written work, to qualify for a prize, must have appeared in print.

For particulars, qualified persons are requested to apply to the office of the Nobel Committee of the Norwegian Parliament, Drammensvei 19, Kristiania.

PETITIONS

The PRESIDENT pro tempore laid before the Senate the petition of the Federation of Citizens' Associations of the District of Columbia, adopted by a unanimous vote at its regular meeting on Saturday, January 3, 1925, praying that Congress grant to the District, as a matter of simple justice, the observance of the principle of definite proportionate contribution by the Federal Government and the District of Columbia in appropriations for the maintenance, upkeep, and development of the Federal Territory, and so forth; which was referred to the Committee on Appropriations.

He also laid before the Senate resolutions adopted by the Stanton Park Citizens' Association, of Washington, D. C., favoring the early consummation of the original plan of adding all of the property between the Capitol and the Union Station in the city of Washington to the Capitol Grounds and to so improve and beautify this area as to make the vicinity of the main gateway to the capital of the Nation attractive to both its visitors and residents, which were referred to the Committee on Public Buildings and Grounds.

He also laid before the Senate resolutions adopted by the Arts Club of Washington, D. C., favoring the extension and preservation of parks and playgrounds in the District, so as to safeguard the public health and give the city that natural beauty essential to a national capital, which were referred to the Committee on the District of Columbia.

He also laid before the Senate a petition of sundry citizens of the State of Kansas, praying for the passage of legislation providing for the preservation of the frigate *Constitution*, which was referred to the Committee on Naval Affairs.

He also laid before the Senate resolutions of the Council of the city of Chicago, Ill., favoring the passage of legislation for the relief of certain stranded immigrants in possession of properly viséed United States passports, which were referred to the Committee on Immigration.

He also laid before the Senate a resolution adopted by the congregation of the First Evangelical Church of Yakima, Wash., favoring the distribution by Congress to the schools and homes of the country of literature relative to the suppression of the traffic in narcotic drugs, which was referred to the Committee on Education and Labor.

He also laid before the Senate the petition of Admiral George Dewey Camp, No. 7, United Spanish War Veterans, of Washington, D. C., praying for the ratification of the treaty between the United States and Cuba, signed March 2, 1904, for the adjustment of title to the ownership of the Isle of Pines, which was ordered to lie on the table.

He also laid before the Senate the following cablegram, which was referred to the Committee on Foreign Relations:

[Postal cablegram]

PERA, January 9, 1925.

PRESIDENT OF THE SENATE, Washington.

American Chamber of Commerce for Levant petition early ratification treaty; desired by all American interests in Turkey.

RE BERGERON, President.

REPORTS OF COMMITTEES

Mr. STERLING, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 4448) authorizing establishment of rural routes of from 36 to 75 miles in length, reported it with amendments and submitted a report (No. 874) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1671) for the relief of Adaline White (Rept. No. 875);

A bill (H. R. 4294) for the relief of Casimira Mendoza (Rept. No. 876); and

A bill (H. R. 5803) for the relief of John A. Bingham (Rept. No. 877).

Mr. BRUCE, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 2042) for the relief of the owner of the coast transit division barge No. 4 (Rept. No. 878);

A bill (S. 2603) for the relief of the legal representative of the estate of Haller Nutt, deceased (Rept. No. 879); and

A bill (S. 3310) for the relief of the owners of the barkentine *Monterey* (Rept. No. 880).

Mr. BRUCE also, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 79) for the relief of the owner of the lighter *Eastman No. 14* (Rept. 881);

A bill (S. 2077) for the relief of the owner of the steamship *Trinidadian* (Rept. No. 882);

A bill (S. 2080) for the relief of the owner of barge No. 62 (Rept. No. 883);

A bill (S. 2128) for the relief of the owner of the steamship *British Isles* (Rept. No. 884); and

A bill (S. 2467) for the relief of Harold Lund (Rept. No. 885).

Mr. BRUCE also, from the Committee on Claims, to which was referred the bill (S. 2720) for the relief of Charles S. Cook, submitted an adverse report thereon (Rept. No. 886).

Mr. BAYARD, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1615) for the relief of Arthur E. Colgate, administrator of Clinton G. Colgate, deceased (Rept. No. 887); and

A bill (S. 3673) to reimburse certain fire insurance companies for amounts paid by them for property destroyed by fire in suppressing bubonic plague in the Territory of Hawaii in the years 1899 and 1900 (Rept. No. 888).

Mr. PEPPER, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 167) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to those who died in the aviation service of the Army, Navy, and Marine Corps in the World War, reported it with an amendment to the title.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 163) to accept donations of historical furniture and furnishings of the correct period for use in the White House, reported it with amendments.

Mr. SPENCER, from the Committee on the Judiciary, to which was referred the bill (S. 292) to incorporate the American Bar Association, reported it without amendment.

Mr. HARRELD, from the Committee on Claims, to which was referred the bill (S. 3109) for the relief of Frank H.

Walker and Frank E. Smith, reported it with amendments and submitted a report (No. 889) thereon.

He also, from the Committee on Indian Affairs, to which was referred the bill (H. R. 5726) to amend the act of Congress of March 3, 1921, entitled "An act to amend section 3 of the act of Congress of June 23, 1906, entitled 'An act of Congress for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,'" reported it with amendments and submitted a report (No. 890) thereon.

IMPROVED SEEDS—WILD LIFE AND FISH REFUGE

Mr. NORRIS. I introduce a bill and joint resolution. These measures were prepared by the Agricultural Department and I introduce them at the request of that department. I ask that they may be read twice and referred to the Committee on Agriculture and Forestry.

The bill (S. 3978) to authorize the Secretary of Agriculture to cooperate with State officials, crop improvement associations or growers of seeds, and other interested parties, to encourage the production of seeds of a high varietal purity and quality, and for other purposes; and the joint resolution (S. J. Res. 168) to remove restrictions upon availability and expenditure of appropriations authorized to be made for the acquisition of lands for the upper Mississippi River wild life and fish refuge, were each read twice by title and referred to the Committee on Agriculture and Forestry.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COPELAND:

A bill (S. 3979) to amend the tariff act of 1922 and other acts, and to change the official title of the Board of United States General Appraisers and members thereof to that of the United States Customs Court, presiding judge, and judges thereof; to the Committee on the Judiciary.

By Mr. McKINLEY:

A bill (S. 3980) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the Chicago post office; to the Committee on Post Offices and Post Roads.

By Mr. HARRISON:

A bill (S. 3981) limiting the provisions of the act of August 29, 1916, relating to the retirement of captains in the Navy; to the Committee on Naval Affairs.

By Mr. SPENCER:

A bill (S. 3982) for the erection of a Federal building at Mountain Grove, Wright County, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY:

A bill (S. 3983) for the relief of Ben D. Showalter; to the Committee on Claims.

By Mr. NEELY:

A bill (S. 3984) granting an increase of pension to Ellen Hopkins; to the Committee on Pensions.

A bill (S. 3985) providing for the purchase of a site and the erection thereon of a public building at Weston, W. Va.; to the Committee on Public Buildings and Grounds.

PAYMENT OF REPARATIONS BY GERMANY

Mr. JOHNSON of California submitted the following resolution (S. Res. 301), which was read and referred to the Committee on Foreign Relations:

Resolved, That the Secretary of State be, and is hereby, requested, if not incompatible with the public interest, to transmit to the Senate copy of the agreement signed by Messrs. Kellogg, Herrick, and Logan during the past week at the conference of the allied and associate powers in the World War relating to the Dawes plan and the payment of reparations by Germany.

HOUSE BILLS REFERRED

The following bills were severally read twice by title and referred to the Committee on Public Lands and Surveys:

H. R. 2689. An act to consolidate certain lands within the Snoqualmie National Forest;

H. R. 5204. An act to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian, Polk County, in the State of Florida, and for other purposes;

H. R. 5555. An act to include certain lands in the county of Eldorado, Calif., in the Eldorado National Forest, Calif., and for other purposes;

* H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 6713. An act to define trespass on coal land of the United States and to provide a penalty therefor;

H. R. 6853. An act to relinquish the title of the United States to the land in the preemption claim of William Weekley, situate in the county of Baldwin, State of Alabama;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 9028. An act to authorize the addition of certain lands to the Whitman National Forest;

H. R. 9029. An act to promote the mining of potash on the public domain;

H. R. 9494. An act to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9688. An act granting public lands to the city of Red Bluff, Calif., for a public park;

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 10411. An act granting desert-land entrymen an extension of time for making final proof;

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.";

H. R. 10770. An act granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes;

H. R. 11211. An act for the inclusion of certain lands in the Plumas National Forest, the Eldorado National Forest, the Stanislaus National Forest, the Shasta National Forest, and the Tahoe National Forest, and for other purposes;

H. R. 11356. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes;

H. R. 11357. An act authorizing the President of the United States to restore to the public domain lands reserved by public proclamation as national monuments, and validating any such restorations heretofore so made by Executive order; and

H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands."

NAVY DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Ralston
Bayard	Fernald	Keyes	Ransdell
Bingham	Ferris	King	Reed, Mo.
Borah	Fess	McCormick	Reed, Pa.
Brookhart	Fletcher	McKellar	Sheppard
Broussard	George	McKinley	Shipstead
Bruce	Gerry	McLean	Simmons
Bursum	Gooding	McNary	Smoot
Butler	Greene	Mayfield	Spencer
Cameron	Hale	Means	Sterling
Capper	Harrell	Metcalf	Swanson
Caraway	Harris	Moses	Walsh, Mass.
Copeland	Harrison	Neely	Walsh, Mont.
Couzens	Healin	Norris	Warren
Cummins	Howell	Oddie	Willis
Curtis	Johnson, Calif.	Overman	
Dial	Jones, Wash.	Pepper	

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Sixty-six Senators have answered to the roll call. There is a quorum present. The Clerk will report the next amendment.

The next amendment of the Committee on Appropriations was, under the subhead "Temporary government for West Indian Islands," on page 6, line 23, after the word "President," to strike out "\$270,150, plus so much of \$29,850 additional as may equal the sum of revenue collected and paid into the treasuries of said islands in excess of \$270,150," and insert "\$300,000"; and on page 7, line 2, after the word "the," to strike out "town of St. Thomas, \$45,000; in all, \$315,150," and insert "towns of St. Thomas, Christiansted, and Fredericksted, \$125,000; in all, \$425,000," so as to make the paragraph read:

For expenses incident to the occupation of the Virgin Islands and to the execution of the provisions of the act providing a temporary government for the West Indian Islands acquired by the United States from Denmark, and for other purposes, approved March 3, 1917, to be applied under the direction of the President, \$300,000; toward the construction of permanent water-supply system for the towns of St. Thomas, Christiansted, and Fredericksted, \$125,000; in all, \$425,000.

COTTON FUTURES

Mr. DIAL. Mr. President, I desire to take a few minutes of the time of the Senate on a question that is of great importance to my section of the country, and I believe to the people of the United States at large and even to the world. We have debated Muscle Shoals for a long time, and necessarily so, because it was a very important subject and Senators could well have different views on it. Our great desire was and is to be prepared to make explosives in time of war and to make fertilizer for the farmers of the country in time of peace. I am glad the proposition has passed the Senate and I hope that it will soon become a law.

We have been trying to legislate for the interests of the farmer, everyone doing all in his power to bring about better conditions for agriculture in the United States. I have a bill pending in the Senate proposing to amend the cotton futures contract law. This is a tedious subject, a technical subject, and I hope Senators will review the subject and look into it fully. Of course, many of them are already posted, but perhaps some do not realize the full scope of the law and the very injurious effect it has upon the growers of cotton.

This is an unusual and refreshing effort. I am not asking for an appropriation for the farmers. I am thoroughly of the opinion that we can help them if we should pass laws which are equal and just to all classes of our people. I submit that the present law operates injuriously to the growers of every pound of cotton in the United States.

It is a peculiar proposition. I venture to say there is nothing in the laws of merchandising or in the customs of trade which would compare to the methods and modes and plans of fixing the prices of cotton.

Briefly, there was no exchange before the Civil War. All the cotton was marketed where it was grown or shipped to commission merchants. The idea of exchanges grew up during the Civil War, and while there was no law, yet there was a custom which existed until the enactment of the present law. That custom operated injuriously to the growers of cotton. Congress was appealed to in 1884 to correct the evils, and bills were pending almost constantly down to 1914, when the present law was enacted. Under the custom any one or all of 32 grades of cotton could be tendered on a contract, at the option of the seller. The framers of the present law, those who advocated its enactment, deserve great credit. They improved the old custom, wonderfully improved it in many particulars; but unfortunately the present law is not put into operation as was intended by its framers. I desire to get some of the cobwebs out of the way. Some may think that I am opposed to exchanges, but such is not the case. I am not a great advocate of exchanges, but I believe that under a proper law, properly administered, perhaps exchanges would be of service to the grower, to the merchant, to the exporter and manufacturer, in fact to all parties dealing in cotton. There are no exchanges for wool, iron, steel, hay, and many other commodities. What I am complaining about is the operation of the present law. I do not complain of those who made the law. They did well, and if the law was put into execution as the framers intended it, it would serve a splendid purpose.

Some time ago I made some remarks on the subject, and my good friend, the Senator from Oklahoma [Mr. OWEN], when I had concluded, said he agreed with me, but that I talked too long and it was confusing. He suggested that if I made another talk I should be brief. I concur with him. That reminds me of a distinguished lawyer in my State many years ago who was arguing an important case before one of our judges. The lawyer commenced to quote decisions of English courts,

and followed them by decisions of Massachusetts courts and other courts down the coast, and after speaking about three hours he said, "May it please your honor, I have a decision right here from our own supreme court which is conclusive of this case." Then the judge said, "Mr. Lawyer, why in the world did you not read that case first?" So now, Mr. President, I am going to omit a good deal that I might say on this subject, and I will get right down to the point which I desire to bring to the attention of the Senate.

I am not complaining of the future market, as I have before stated, if it were operated properly; but unfortunately for our people, for the growers of cotton, the price in the future contract fixes the price of "spot" cotton. I mean practically, for all intents and purposes, the price of the "spot" cotton is governed by the price of the future contract. That being true, then, the future contract ought to be a definite, a fair, and a mutual contract; it ought to represent the actual value of the cotton itself.

There are only 10 grades of cotton that are allowed to be dealt in on the future market, and all contracts on the future market are bought and sold on that market on the basis of "middling" cotton. No mill can use 10 grades; must have cotton to suit its machinery. There is nowhere for cotton to go eventually except to the mills.

Now, briefly, I will state where the wrong comes in. Under the present law there are two sections dealing with this subject. One is section 10, which provides that at the time the contract is made one of the identical 10 grades of cotton shall be specified.

Under section 10 of that law the identical grade has to be specified, but, unfortunately for the people who raise the cotton, there has never been a contract on the New York market sold under section 10. When the law was framed no doubt those who advocated it thought they had accomplished a great deal by the incorporation of section 10, and it would have been a great accomplishment if the exchanges had put it into effect, but unfortunately there is another section in the law—section 5—which provides that all contracts shall be bought and sold on the basis of "middling" cotton with the right of the seller to deliver all of the quantity in any one or all of the 10 grades as he may see fit, with a discount below "middling" and with a premium above "middling."

Mr. President, that is the crux of the whole matter; that is the section which is employed every day; but I say that that kind of contract is not a just measure of the actual value of cotton.

If the Senate will indulge me, let me illustrate my point. Assuming that the law in reference to wheat were the same as that relating to cotton, suppose one should go to an exchange operator to buy wheat and ask, "What is your price?" He would say, "It is \$1.25 a bushel." "Why, I am delighted; I thought it was \$1.50 a bushel." "Oh, no, because my wheat is partially damaged, about one-fourth of it is damaged"; or he might say, "I am selling three pecks to a bushel." "Well, I thought there was something wrong with your wheat, because your price is so low, but let it stand; your price being so low and you and I understanding each other, we will make the bargain."

Mr. President, I have no objection to such a bargain between parties being made, for they know what they are doing; but I insist that such a quotation should not go out to the country and fix the actual price of wheat. There ought to be disclosed all of the surrounding facts that entered into the contract. What I am objecting to under that illustration is that a farmer's wheat should be measured by that defective contract; but that is what is done in the case of cotton. No definite grade or quality is fixed.

Now I will give one other illustration: Assuming that we had the same law or rule in merchandising. Suppose one should go to a tailor to contract for a suit of clothes and ask, "What is the price of this suit?" "The price is \$60," the tailor would say. We will say that there were only 10 grades of suits allowed to be dealt in. "All right, I will take the suit of clothes." But the tailor would respond, "No, I do not sell clothes in that way. I have suits here with \$10 difference in price, a \$10 discount below and a \$10 premium above the middle sample. The only way we sell is to let you select your cloth samples, and we will furnish whatever we see proper under the discount and premium rule." I venture to say, Mr. President, that no one would trade under any such arrangement as that; and yet that is the way our cotton is marketed. One would not purchase even pocket handkerchiefs on that principle. People buy and sell on exchanges, and the exchange price fixes the price of the actual cotton. It is a depreciated price.

I was surprised to ascertain some time ago that the variation in the price of cotton for 20 years has averaged 8.66 cents per pound. That means way over a million dollars a day to the cotton growers of this country.

A few years ago I introduced a bill in the Senate, which is now on the calendar, designed to correct this evil. I had the matter referred to the Federal Trade Commission. That commission worked on it for a couple of years, and then made a unanimous preliminary report in which, in conclusion it says:

Under these conditions the price received by the producer who has actual cotton to sell in the spot market would logically seem to be unfavorably affected.

In other words, the Federal Trade Commission held that the law as it now stands operates injuriously upon the growers of cotton.

The commission further investigated the subject for another year and made a final report to the Senate just before Congress adjourned at the last session. In that report, on page 19, the commission say:

An examination of the various proposals which have been made for the revision of grades deliverable on contracts leads the commission to the conclusion that the only one which promises desirable results is the three contiguous grades contract.

That is the remedy which I offered, and that is in the bill which is now pending before the Senate. It divides the 10 tenderable grades into three classes—A, B, and C—with a basic grade in each class, and one-third of the contract must be filled in the basic grade and the remainder must be filled in the other grades mentioned in that class.

Mr. President, it is argued that the exchanges are not intended as a spot market. We all know that. It is claimed that they merely provide an opportunity for hedges for people who deal in cotton, for those who make cotton goods, and also for those who raise cotton. It is not unjust for those who find it convenient or necessary to hedge their contracts; for them it may afford some protection under proper safeguards; it is insurance; but the complaint I am making is that the farmer is in no condition to hedge his contract or sell his crop in the future market.

It is claimed that this law authorizes the farmer to sell his crop before he harvests it, or even before he plants it—that is, to contract to sell it; but, Mr. President, in the first place, I presume that not one farmer in a hundred raises a hundred bales of cotton, which is the smallest unit of sale; and not only that, but if he could contract to sell ahead he would, in all probability, be in no position to put up the margin to carry the contract. Even if he did, prices would fluctuate, and so forth. Why induce him to speculate? He is not prepared. Therefore it is useless to try to render assistance to the farmer in that way. I refer to a vast majority of producers.

What I am trying to do, Mr. President, is to get the law corrected. It is a one-sided law; it is an unequal law; it is an unjust law. I merely ask that it be amended so as to specify, as any law governing contracts should specify, the grade or the quality that is dealt in and then force the seller to deliver what he contracted to sell. If the contract had to specify one identical grade, perhaps that would be a nicely beyond necessity, because no mill is compelled to have all of its cotton of one grade. No mill, however, can spin 10 different grades of cotton; it must have its cotton in grades which it can mix and which are suitable for its machinery. Therefore the best solution of which I can conceive is one that will compel delivery in any one of three contiguous grades.

As above mentioned, let there be a basic grade in each class; let a certain proportion, say a third of the contract, be filled in that basic grade, and let the remainder of the contract be filled in the basic grade or in any of the contiguous grades under the contract. Then the manufacturer will be able to mix the grades and use the entire spread. The buyer would know whether he could use grades mentioned in class A, B, or C.

Mr. President, by reason of the indefiniteness of the contract great fluctuations in prices occur almost daily. What I would like to see would be a stabilized price. If the man who is selling the contract were required to specify the grade or the quality or class of the cotton which he was selling, he might be called upon to deliver, and he would, therefore, be careful as to the price asked, and hence the price of the contract would be kept up to its real value, and that would be reflected in the value of the actual cotton down on the farm. But, as I have said, the price of cotton fluctuates violently. There are often fluctuations as great as \$10 a bale a day. No sensible man will say that there is any just or logical reason why cotton should sell for \$10 a bale less at 3 o'clock in the afternoon than it sold for at 10 o'clock in the morning. It is done by manipu-

lation. When those violent fluctuations occur they demoralize not only the growers of the cotton but the manufacturers, the merchants, the converters, and everyone who is interested in cotton goods. In the first place, the farmer becomes discouraged; tenants see that there is nothing in the crop for them and abandon the farms, losing their labor up to that time; the landlord loses his rent, and the merchant and the banker lose what they have advanced. So general demoralization is caused on the farm.

Furthermore, the converters and all would-be purchasers of cotton goods withdraw from the market; the mills have to pile up their stock, pay interest and storage and carrying charges, and often shut down and turn their labor out of employment without any fault of theirs, and general demoralization exists. Mills do not object to high-price cotton; they do object to wide and wild fluctuation. Agriculture is being ruined under this system, and it will not be long until the manufacturing interests will be demoralized completely.

What we want to do is to pass a fair, equal, and just law so that the price can be uniform, so that the law of supply and demand will function untrammelled by this legislative device.

We are taught that overproduction decreases the price of a commodity. There is nothing new or peculiar about that proposition. That being true, then overselling would have the same effect as overproduction; there should be some way to limit overselling. We can not stimulate the consumption of cotton very much in the world. About so many bales are used each year, with a reasonable spread; but if you are allowed to sell and keep on selling, the price of the contract will go down.

In 1920 we made less than 13,000,000 bales of cotton in the United States. On the New Orleans and New York Cotton Exchanges alone over 128,000,000 bales of contracts were sold—more cotton than could be raised in the next nine years. Of course, a good many of those contracts were duplicates; but the point I am making is that if there is no top to selling, no top to this kind of supply, necessarily the price of the commodity will decline.

Let us illustrate. Assume that all the mills of the world had purchased or contracted for all the cotton they need for the next 12 months. Let us assume that all the people of the world had contracted or bought all the shoes they need for the next 12 months. If you should auction off shoes and cotton every day, as we now auction off cotton every day at the cotton exchanges, of course the price of the cotton and the shoes would go down, everybody having contracted for what they wanted; and under the present device the seller can sell to his heart's content, knowing that there is not perhaps one chance in a hundred, or maybe in a thousand, that he will be called upon to deliver, because he has 10 options to the purchaser's none. He can deliver any one or all of the 10 grades as he sees proper. The purchaser not knowing what grades he will get, almost always sells out, causing the price of the contract to go lower; hence this drops down the price of spot cotton. I do not contend the purchaser should have the right to select the grade; this would be unfair on the other side. The grade or quality should be specified. This is fair—nothing more nor less. However, it would be more in keeping with common sense than to let the seller select the grade.

I do not know that we should limit the number of bales that should be sold. I confess frankly that I have not been able to decide what ought to be done along that line.

I do know, however, that if the contract were a definite contract, when maturity day came if the holder of the contract was not satisfied with the price and he could use the actual commodity and knew what he would get, he would say, "Deliver me the cotton"; but, not knowing the grade of the cotton that he would get, the seller could deliver him something that he could not use, and he would have to put that away, pay carrying charges, pay insurance, and endeavor to get rid of it if he could.

Mr. RANDELL. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Louisiana?

Mr. DIAL. I yield.

Mr. RANDELL. The Senator says that the exchanges are open for the seller. I should like to ask him if those exchanges are not equally open for the buyer?

Mr. DIAL. Most assuredly. There can not be a sale without a buyer. If he had the right to specify which one of the 10 grades, or even which class, the price would be much higher.

Mr. RANDELL. There can not possibly be a sale without a buyer, can there?

Mr. DIAL. Certainly not.

Mr. RANDELL. And are not those exchanges just as apt to stimulate buying as they are to stimulate selling?

Mr. DIAL. No; not in value.

Mr. RANDELL. Is it not a matter of speculation in a way, men being influenced to buy or to sell, as the case may be, by their opinion of the rise or fall in value of the commodity?

Mr. DIAL. That would have some effect, of course; but no one would give as much for a contract not specifying the grade as he would for one which did.

Mr. RANDELL. The Senator makes that statement, but I am not at all sure that he is correct about it.

Mr. DIAL. I think ordinary business experience would bear me out on that and verify my statement.

Mr. RANDELL. The Senator made another statement that I should like to ask him about. He said that there were something over 100,000,000 bales sold on the New Orleans and New York Exchanges.

Mr. DIAL. I said contracts in 1920—128,000,000, according to my recollection.

Mr. RANDELL. Yes. Can the Senator tell us how many of those 128,000,000 bales were what are designated in the trade as hedging or insurance contracts?

Mr. DIAL. No; I have not those figures. I said that of course a great deal of it was duplicate contracts; but they only delivered that year, according to my recollection, less than 350,000 bales on contracts.

Mr. RANDELL. Is it not a fact that a great many hedging contracts are made in this cotton business?

Mr. DIAL. Yes; I am satisfied of it.

Mr. RANDELL. What the trade calls hedging insurance; so they are not all purely matters of speculation?

Mr. DIAL. Oh, no.

Mr. RANDELL. A great many of them are made for the purpose of legitimate insurance?

Mr. DIAL. Certainly. The Senator was not in the Chamber at the time when I said I was not opposed to exchanges. My contention is that we ought to fix a law that would be equal and equitable all around; a law like every other law—specific contract. I do not ask for any one-sided law whatever. I am not endeavoring to pass an extreme or unusual law, but am trying to correct what I see to be unjust execution of what the makers of the present law intended.

Mr. President, I hope to bring up this question at an early date and ask the Senate to vote on it. At present I surrender the floor. I am attempting to cooperate the wise principle of cooperative marketing into the law. Specify what your contracts are; sell and deliver what you specify.

NAVY DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee on page 6, beginning in line 23, which has been read.

The amendment was agreed to.

Mr. DILL. Mr. President, I desire to offer an amendment and ask that it be printed. I want to bring it up at a later date, and I give notice that I shall move to suspend the rules at a later date in order to have this amendment adopted.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. DILL. I should like to have the amendment read.

The PRESIDENT pro tempore. The Secretary will read the proposed amendment for the information of the Senate.

The READING CLERK. After the figures "\$4,100,000" line 17, page 40, it is proposed to insert:

The Secretary of the Navy is hereby authorized, when directed by the President, to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable in the vicinity of Sand Point, Wash., approximately 400 acres, as a site for a naval air station.

Mr. DILL. Mr. President, I offer this amendment and ask that it be printed. At a later date I shall bring it up for action under the right to move to suspend the rules, for the reason that I want to bring before this body for consideration the situation regarding the real need for an airplane base for the Navy on the north Pacific coast.

The only airplane base to-day on the entire Pacific coast is at San Diego.

Mr. McCORMICK. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Illinois?

Mr. DILL. I have only a short statement to make, if the Senator will permit me. I shall take only a few minutes.

Mr. McCORMICK. That is all I wanted to know.

Mr. DILL. This proposed base is 1,500 miles north of San Diego. The city of Seattle and King County some years ago purchased enough land, added to what was already owned by the county, to make a total of something like 400 acres. They prepared a deed in fee simple and presented it to the Secretary of the Navy, offering to give this site to the Government for a naval airplane base. Legislation was introduced for the purpose of permitting the Secretary of the Navy to accept that base, but it failed of passage. A lease was then made for a period of 10 years, and to-day the Navy leases that area.

Last summer, when the battle fleet was in Puget Sound, there was no other place for the planes to be repaired or to be handled on any land area. The young men in charge of those planes were compelled to stand with the water knee-deep while they attempted to repair them as best they could. They erected a temporary tent under which they put some sort of a machine shop to handle the engines as best they could. The report of Captain Moses, in charge, has been made to the Navy Department, and it is favorable to this base. The admirals who have investigated the situation along the north Pacific coast report that Sand Point is the only suitable site along that entire coast for a base of this kind.

In this amendment, which I shall discuss more at length later, I am not asking for any appropriation to develop the site now; but I think the Government should own a naval air station in that vicinity, and this being the only available site, as testified to in the hearings before the House committee, it seems to me that before this bill is passed we ought to empower the Secretary and the President to accept this site and establish it as a naval plane base on the north Pacific coast.

It is a generally understood fact that if we have war in the future in which the Navy must be used the brunt will be on the Pacific coast; and when it is remembered we have the great Alaskan area to the north and all our Northwest cities and harbors to protect, and the entire north Pacific coast without any naval airplane base at all, I maintain that Congress should not permit this session to close without giving the President and the Secretary of the Navy authority to accept this base as an established naval plane location, and, in the future, develop it as a naval airplane base.

As stated previously, I shall not take more time at present on the subject, but at a later date I shall bring up the amendment and discuss it more in detail.

ISLE OF PINES TREATY

Mr. BORAH. Mr. President, I move that the Senate proceed to the consideration of the treaty with Cuba in open executive session.

Mr. HALE. Mr. President, will not the Senator consent to wait a few minutes until I can take up the committee amendments that are not objected to and get them out of the way? If there is any opposition to them, I will have them put over or yield to the Senator for the purpose of renewing his motion.

Mr. BORAH. Mr. President, it is not a matter of convenience to me; but Senators have given notice that they intend to speak upon the treaty, and I think we ought to go ahead.

Mr. McCORMICK. Mr. President, let me ask the Senator from Maine how long he thinks it will take him to conclude the consideration of the bill to-day?

Mr. HALE. I do not intend to finish the bill to-day, Mr. President. I simply would like to get through the committee amendments that are not objected to.

Mr. McCORMICK. How long would the Senator like to keep the bill before the Senate?

Mr. HALE. I do not think it will take more than 5 or 10 minutes, because anything that is objected to I will have go over.

Mr. McCORMICK. The time of the Senate is as elastic as a league in Mexico.

Mr. BORAH. That being true, I doubt if we will want to wait.

The PRESIDENT pro tempore. The Senator from Idaho moves that the Senate proceed to the consideration of executive business in open executive session.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the con-

sideration of the treaty between the United States and Cuba, signed March 2, 1904, for the adjustment of title to the ownership of the Isle of Pines.

Mr. SWANSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Dale	Johnson, Calif.	Pepper
Ball	Dial	Jones, Wash.	Ralston
Bayard	Dill	Kendrick	Ransdell
Bingham	Fernald	King	Reed, Mo.
Borah	Ferris	McCormick	Reed, Pa.
Brookhart	Fess	McKellar	Sheppard
Broussard	Fletcher	McKinley	Shipstead
Bursum	George	McNary	Simmons
Butler	Gerry	Mayfield	Spencer
Capper	Gooding	Metcalf	Sterling
Caraway	Greene	Moses	Swanson
Copeland	Hale	Neely	Underwood
Couzens	Harris	Norris	Walsh, Mont.
Cummins	Heflin	Oddie	Warren
Curtis	Howell	Overman	Willis

The PRESIDENT pro tempore. Sixty Senators having answered to the roll call, there is a quorum present.

Mr. McCORMICK. Mr. President, for many years it has been difficult to secure the attentive consideration of the Senate to the treaty which is now before it. Senators seem to have considered it of little moment, although all Presidents since the submission of the treaty have urged its ratification. Most of those Presidents have been able Presidents. Whatever the quality and the capacity of the Secretaries of State may have been—learned lawyers, ignorant idealists, scribbling scribes, learned legalists—the Presidents, I repeat, without exception, have urged the ratification of the treaty.

The issue involved superficially may seem of little moment; but, after all, American statecraft, American justice, American honor, all are involved in its determination. If the treaty with Cuba, which has been before the Senate for a score of years, immediately concerns the nationality and the property of only a few thousand persons in the Isle of Pines, it ultimately concerns 200,000,000 people in the two Americas, and must ultimately fortify or impair the good will, the good faith, and the common confidence between the governments of those people.

The circumstances attending the present consideration of this treaty are peculiar and difficult. Certain as they are of the wise policy which calls for the ratification of the treaty, certain as they are that history, precedent, law, justice, and morality, all stand with them, none the less the supporters of the treaty know only too well that they are confronted by a formidable array, shall I say, of obstacles and adversaries. Caution and procrastination bid men shrink from deciding a question which the Senate has left undecided for a generation without any obvious hurt or advantage to any great number of people. They thus abet the lobby against the treaty. There is active lobbying against this treaty by Americans financially interested in the Isle of Pines. The upholders of the most righteous cause, sir, if it be unknown to the people, may well wince in the face of a long and well-organized lobby, the more so if some of its leaders are honest and bold.

The voluminous record placed before us shows that this treaty long since would have been ratified if 20 years ago a handful of American land speculators had not bought for a pittance vast tracts of land in the Isle of Pines, and sold them in small parcels, at fat profits, to good people in almost every quarter of the United States. This treaty long ago would have been ratified if those land sharks had not advertised to their dupes that the Isle of Pines had become American territory, not by any act of Congress, not by the explicit terms of any treaty, not in the expressed judgment of the Secretary of War, the Secretary of State, the Attorney General, or the Supreme Court, but in the sole judgment of one Meiklejohn, a forgotten assistant in the Department of War. Hence the lobbying by the good folk to whom was sold the land in the Isle of Pines upon misrepresentation.

If the long lapse of time and the lobby were not enough to confront us, we also face the great Senator from Idaho [Mr. BORAH], the most redoubtable opponent that any man may face on the floor of the Senate, one of the most learned, one of the most fearless, one of the most popularly beloved of Senators, and certainly the most eloquent Senator of our time. We face such opposition and such an adversary armed only with those old legal instruments which must be useless unless they engage the attention and touch the conscience of every Senator.

The chief of them Mr. President, are the protocol of peace signed by the plenipotentiaries of the United States and of Spain; the treaty of peace between the United States and

Spain; the Platt amendment; the treaties with Cuba; and the decision of the Supreme Court of the United States. I know very well, sir, that were it not possible to read into the protocol and the treaties a meaning—another and forced meaning—which I can not find in them, there would be no debate to-day and no division among Senators. That is why it is necessary to beg Senators carefully to examine the protocol and the treaties in the light of the history of Cuba before the treaties were made and in the light of the debate upon the Platt amendment and of the construction put upon the treaties alike by the executive servants of the American people and the Supreme Court of the American people.

I have heard attributed to the late President Palma, of Cuba, and the late Senator Davis, who was one of the signers of the treaty with Spain, the opinion that the Isle of Pines was under the sovereignty of the United States.

That is why we are in duty bound to consider the judgment of William R. Day, who as Secretary of State signed the protocol of peace and who as chairman of the peace commission signed the treaty of peace and who as a member of the Supreme Court concurred in the opinion of the Chief Justice that the Isle of Pines was not American but foreign territory, "as all the world knows."

I know that some will hold that under the Constitution there is no power by law or by treaty to alienate territory of the United States. That is why it is necessary to bear in mind that where territory has been jointly administered by a foreign government and the United States, or where title to territory has been disputed by a foreign government and the United States, more than once a foreign government has been confirmed by treaty in the possession of territory in which we had asserted or exercised sovereignty, as in the Samoan Islands, when the United States assumed sovereignty over Tutuila and yielded to Germany the government of the rest, as in the settlement of the frontier between Maine and New Brunswick, as in the limitation of the boundary in the Oregon Territory, which the American people would have pushed north—far north—demanding that the administration stand for the line of "Fifty-four, forty—or fight."

Let me first ask the attention of Senators to the articles of the peace protocol and of the treaty with Spain which are germane to the discussion:

(Protocol with Spain)

ARTICLE I

Spain will relinquish all claim of sovereignty over and title to Cuba.

ARTICLE II

Spain will cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies and also an island in the Ladrões to be selected by the United States.

ARTICLE IV

Spain will immediately evacuate Cuba, Porto Rico, and other islands now under Spanish sovereignty in the West Indies; and to this end each government will, within 10 days after the signing of this protocol, appoint commissioners, and the commissioners so appointed shall, within 80 days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and each government will, within 10 days after the signing of this protocol, also appoint other commissioners, who shall, within 30 days after the signing of this protocol, meet at San Juan in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

I submit that we can not consider the terms of the treaty of peace except in connection with the terms of the protocol. How does the treaty read?

ARTICLE I

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assure and discourage the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

ARTICLE II

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrões.

Senators will note the identical language of Article I of the protocol, and the first sentence of Article I of the treaty—

Spain relinquishes all sovereignty over and title to Cuba.

There is no difference in the meaning between the second article of the protocol and the second article of the treaty with Spain. Their purport and intention is obviously and surely the same. Both—

Cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Illinois yield to the Senator from Ohio?

Mr. McCORMICK. I yield.

Mr. WILLIS. I do not desire to interrupt the Senator if it will interfere with the continuity of his statement, but I would like to have the opinion of the Senator as to the meaning of the language he has just read; for instance, "Porto Rico and the other islands of the Spanish Dominion in the West Indies." To what does that expression "other islands in the West Indies" refer if the Senator contends that the Isle of Pines is a part of Cuba? What "other islands" are there?

Mr. McCORMICK. If it applied to islands adjacent to Cuba, it would apply not only to the Isle of Pines but to all of the keys and islands which fringe the southern coast of Cuba.

Mr. RALSTON and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. McCORMICK. I will yield first to the Senator from Virginia.

Mr. SWANSON. If the Senator will permit me, the Supreme Court has determined that question in fact. The opinion of the Supreme Court said the phrase "other islands" related to Vieques, Culebra, and Mona, and not to the Isle of Pines.

Mr. McCORMICK. I am going to deal with that afterwards.

Mr. BORAH. The Supreme Court could not have decided that question because it was not before them.

Mr. SWANSON. Whether they decided it or not, the Chief Justice said that is what was meant.

Mr. BORAH. But they did not decide it because when they came to render the decision they said the only question they decided was that this Government had treated as de facto the Government of Cuba.

Mr. SWANSON. Oh, the Senator is entirely mistaken.

Mr. McCORMICK. I yield now to the Senator from Indiana.

Mr. RALSTON. If I understood the Senator correctly, he is arguing that the Isle of Pines is a part of Cuba. I have before me the minority report made by former Senator Morgan.

Mr. McCORMICK. Has the Senator before him Senator Morgan's remarks of February 26 and 27, 1901?

Mr. RALSTON. If I have, I do not know it.

Mr. McCORMICK. No; but Senator Morgan's remarks then made contradicted the report subsequently made.

Mr. BORAH. I think the Senator goes too far.

Mr. RALSTON. Let me put my question.

Mr. BORAH. It seems to me the Senator from Illinois goes too far in saying that his remarks contradict the minority report later made. I think if he will read them he will find that Senator Morgan was of the opinion that we would not undertake to take the island from Cuba, but that did not militate against the position which he took that as a matter of fact the title was in the United States.

Mr. RALSTON. Now, Mr. President, if the Senator from Illinois will indulge me a moment—

Mr. McCORMICK. O Mr. President, yesterday I think I indulged the Senator so far as to agree that my interjection in his remarks should be omitted from his speech.

Mr. RALSTON. Yes; that is true. The Senator was very kind.

Mr. McCORMICK. I grant him every indulgence.

Mr. RALSTON. I find in the minority report to which I have referred this statement:

This understanding was sustained, positively, by the statement of one of our commissioners who negotiated the treaty of Paris and is acting chairman of this committee, Hon. William P. Frye, Senator from Maine. He stated to the committee that the commissioners of the United States did not regard the Isle of Pines as being a part of Cuba but as a separate island that was ceded to the United States in Article II of the treaty of Paris.

Mr. McCORMICK. Let me ask the Senator from Indiana how it happens that when a temporary government over Porto Rico and Cuba was established by the President of the United States the Isle of Pines was not then made subject to the jurisdiction of the government of Porto Rico instead of the government of Cuba? Will the Senator suggest a reason why?

Mr. RALSTON. Cuba, as I understand it, was contending at that time—

Mr. McCORMICK. Cuba, I may say, contended nothing at that time. There was no government in Cuba to contend.

Mr. RALSTON. It was contended by some parties at least that the Isle of Pines should have gone with Cuba, as I understand it.

Mr. McCORMICK. Does the Senator say the issue was raised at that time?

Mr. RALSTON. Not at the time to which reference is made by Senator Frye. I would not contradict him.

Mr. McCORMICK. No; nor within 30 days after the occupation of the Spanish Antilles by the American forces.

Mr. RALSTON. I can not answer the Senator. I have no information as to why it was not included.

Mr. McCORMICK. If the Senator will permit me to say it, he reminds me of the remark of Walter Pater that he would be happy if he could speak with the certainty of an undergraduate. He has not searched the record of the time.

Mr. BORAH. It is perfectly apparent as to why they did not include it or administer it under Porto Rico. We were administering Cuba at the time and geographically it was practicable to administer the Isle of Pines with it.

Mr. McCORMICK. The great Senator from Idaho associates the Isle of Pines then as geographically adjacent to and a part of Cuba?

Mr. BORAH. Oh, no. The Senator does not do so, but he does assert that the Isle of Pines is much nearer geographically to Cuba than it is to Porto Rico and has always been administered upon that basis.

Mr. McCORMICK. And was always so administered by the captain-general of Cuba.

Mr. BORAH. No; that is where the Senator is again mistaken. Cuba itself was at one time administered from Porto Rico.

Mr. McCORMICK. Let me ask the Senator if, after the establishment of the captaincy general of Cuba, the captain-general of Porto Rico ever administered the government of the Isle of Pines?

Mr. BORAH. I would not undertake to speak of the dates now, but I have them in my possession. The unit of administration was shifted from time to time; it was not uniform from the beginning down to the time that we took possession.

Mr. McCORMICK. Of course it was not uniform. There was a time when the captain-general, with his seat of government in Santo Domingo, was captain-general of Mexico, if I remember rightly.

Mr. BORAH. I do not think the Senator's memory is correct as to that.

Mr. WILLIS. Then does the Senator from Illinois think that that would make Mexico a part of Haiti?

Mr. McCORMICK. Was there not a single captain-general of the West Indies whose seat of government was in the city of San Domingo?

Mr. WILLIS. If the Senator propounds that inquiry to me, I will say, of course, there was; but the argument I understand him to be making is that because the governor of Cuba for a time was also the governor of the Isle of Pines that that made the Isle of Pines a part of Cuba. Then, if so, by the same token, Cuba and Florida and Mexico were a part of Santo Domingo and Haiti.

Mr. SWANSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. McCORMICK. Yes; I yield to the Senator.

Mr. SWANSON. I desire to ask the Senator from Idaho [Mr. BORAH] and also the Senator from Illinois [Mr. McCORMICK] a question.

The first interpretation of the expression "Porto Rico and other islands now under Spanish sovereignty in the West Indies," as contained in the fourth article of the protocol, has been so pointedly and strikingly stated by the Senator who is now speaking that it ought to be almost conclusive in this discussion. He read the article that provided for the evacuation of Cuba and adjacent islands under arrangements made by one set of commissioners. Now it is sought to give a different interpretation to the language "shall immediately evacuate Porto Rico and other islands now under Spanish sovereignty in the West Indies," which is the very term—

Mr. BORAH. Mr. President—

Mr. SWANSON. Let me get through, and then I will yield to the Senator.

Here was an interpretation made 30 days after the treaty was signed as to what was meant by the phrase "and other islands now under Spanish sovereignty in the West Indies." The interpretation made at that time, before any dispute arose, was that the Isle of Pines was not included under the phrase

"other islands now under Spanish sovereignty in the West Indies," but the Isle of Pines was evacuated under the phrase "Cuba and adjacent islands." The Isle of Pines was not included among the islands that should be surrendered under the expression "Porto Rico and other islands now under Spanish sovereignty within the West Indies." All that was included under that phrase, all that was conveyed under that agreement of the protocol, related to those islands which should be evacuated to the commissioners at Porto Rico. The Isle of Pines was not so evacuated, and the construction at that time showed that the Isle of Pines was not included under the term "other islands under Spanish sovereignty within the West Indies."

Mr. BORAH. Mr. President—

Mr. McCORMICK. I yield to the Senator from Idaho.

Mr. BORAH. I am only going to say a word now, because I propose to cover the matter later in my remarks; but the very fact that the instrument which conveyed title did not say "Cuba and adjacent islands," while the articles with reference to administering the government did say "Cuba and adjacent islands" distinctly discloses that those who were dealing with the situation were dealing with it with reference to the transfer of title upon an entirely different basis from that upon which they were dealing with it for the purpose of government. Why did they not say in article 1 "Cuba and adjacent islands," as they did say when they came to administer the government? It was for the simple reason, as Senator Frye stated, that it was distinctly understood that the Isle of Pines was not to go as a part of the territory relinquished to Cuba.

Mr. SWANSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. McCORMICK. I yield.

Mr. SWANSON. The reverse of that is expressed in the opinion of Mr. Justice Day, who signed the treaty and who delivered the opinion and who was the first author of the expression "other islands now under Spanish sovereignty." The first time that expression appeared was in a letter to Cambon giving the terms, and before any question of self-interest had arisen that was the interpretation given to the expression "and other islands." The claim to the Isle of Pines is not made under the phrase "Cuba and adjacent islands," but under the expression in article 2, "Porto Rico and other islands now under Spanish sovereignty in the West Indies." Without that expression there would be no title.

Mr. McCORMICK. Mr. President, the colloquy between these two great lawyers is illuminating. It leads me to understand how a phrase in an indictment may result in the acquittal of a person who is brought to the bar of justice, although he is indubitably guilty. Metternich, I think it was, said that language was contrived to conceal thought.

Mr. KING. It was Talleyrand who said that.

Mr. McCORMICK. I stand corrected, of course.

Now, Mr. President, if I may be permitted to resume where the jurisconsults left off, let me ask how we are to determine whether those "other islands" include the Isle of Pines. I say, confirming the assertion of the Senator from Virginia, first by examining the language of Article IV of the protocol, which provides that—

Spain will immediately evacuate Cuba, Porto Rico, and other islands under Spanish sovereignty in the West Indies, and * * * appoint commissioners * * * to meet at Habana * * * for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and other commissioners to meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

If other Senators have studied the geography of the Antilles as has the Senator from Virginia, they will learn that Viequez, Culebra, and Mona are veritably "other islands" than Porto Rico, while "adjacent" to the coast of Cuba and all along its southern shores is a fringe of scores upon scores of keys and islands, of which the Isle of Pines is the largest one of the most westerly and southerly.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. McCORMICK. I yield to the Senator.

Mr. NORRIS. The Senator has just read from Article IV of the protocol.

Mr. McCORMICK. I have.

Mr. NORRIS. If the Isle of Pines was a part of Cuba—and I think it is conceded that these other islands along the coast

of Cuba, and also islands along the coast of Porto Rico, are parts, respectively, of Cuba and Porto Rico—then I do not quite understand why in the protocol they should not have said "evacuate Porto Rico and Cuba" and stop at that point without using the expression "and other islands." Would not that have included the Isle of Pines? What did they put the other language in for? Does it mean anything?

Mr. McCORMICK. The Senator means the expression "adjacent islands."

Mr. NORRIS. Yes; "adjacent islands."

Mr. McCORMICK. "Islands adjacent to Cuba."

Mr. NORRIS. Let the Senator read the language. I do not recall whether it said "adjacent" or "other islands."

Mr. McCORMICK. It reads:

For the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands and also appoint other commissioners, who shall meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

Mr. NORRIS. Mr. President, the point I want to make—and I do not know whether it is of any particular value—is this: It has occurred to me that if the Isle of Pines is a part of Cuba and was a part of Cuba then and was not included, therefore, in the expression "Porto Rico and other islands in the Caribbean Sea," or whatever the language may be, why could they not have covered the whole thing by saying "shall evacuate Porto Rico and Cuba"? Would not that have taken them all in?

Mr. McCORMICK. Because there is a long fringe of islands along the southern coast of Cuba which were referred to as "adjacent islands."

Mr. NORRIS. I understand that, but the Senator claims, I think, that with perhaps the exception of the one island that was exempt because of either its size or its distance, or both, the adjacent islands around Cuba are a part of Cuba and the adjacent islands around Porto Rico are a part of Porto Rico, so that a deed of conveyance to Cuba or Porto Rico, respectively, would include those islands without enumerating them.

Mr. McCORMICK. The Senator knows that after all Mona is not adjacent to Porto Rico.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New York?

Mr. McCORMICK. I do.

Mr. COPELAND. I should like to follow up the question asked by the Senator from Nebraska. If the Isle of Pines and the other islands adjacent to Cuba mentioned in the protocol are part of Cuba, why were they mentioned? Why did not the protocol say "the evacuation of Cuba" and stop there?

Mr. McCORMICK. Because the draftsmen of the protocol manifestly distinguished between Cuba and the islands adjacent thereto, administered under the captaincy general of Cuba, and Porto Rico and other islands theretofore subject to Spanish sovereignty.

Mr. COPELAND. They differentiated, and I think some of the rest of us do too. There certainly is a distinction, but if those islands had been considered a part of Cuba, the language of the protocol would have been "for the evacuation of Cuba," and the words "adjacent islands" would not have been added.

Mr. McCORMICK. I assume the Senator then would hold that all the other islands lying on the south coast of Cuba were ceded to the United States together with the Isle of Pines?

Mr. COPELAND. I am inclined to think they were, but since they are so unimportant, nobody has raised the question. However, of course, the same argument relating to the Isle of Pines would relate to those other islands.

Mr. McCORMICK. The geographical extent of the islands would weigh as nothing, then, in the Senator's mind as against justice?

Mr. COPELAND. I did not get the question. What is it?

Mr. McCORMICK. I say that the geographic extent of those other islands would weigh nothing in his mind as against justice?

Mr. COPELAND. If those other islands are included with the Isle of Pines and if it shall be established that the Isle of Pines is a possession of the United States, the question will rise in my mind whether or not the other islands should not be treated in exactly the same way.

What I say is said with a desire to be eminently fair to Cuba. I went around the country and made speeches demanding intervention long before we did intervene, and I speak as a friend of Cuba; but I am convinced, from the language

quoted by the Senator, that the men who wrote that protocol made a distinction between Cuba and the islands adjacent thereto.

Mr. McCORMICK. And Porto Rico and the other islands?

Mr. COPELAND. And Porto Rico and the other islands. There was different language used. That is not the same situation.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. McCORMICK. I yield.

Mr. WILLIS. I dislike to intrude on the Senator's time—Mr. McCORMICK. The Senator does not intrude on my time. If he will induce the Chair to rule that we may presently call a quorum of those who have not studied the question, I shall be pleased to review the argument which I have made.

Mr. WILLIS. If the Senator will permit me, what I wanted to say was in further response to the inquiry made by the Senator from New York. It seems to me here is the very pertinent, and to my mind conclusive, answer to his inquiry: The constitution of Cuba, where it defines its own limits, specifically says that Cuba shall consist of the island of Cuba and the adjacent islands; and that same constitution specifically and in terms exempts the Isle of Pines. It seems to me that is the direct answer.

Mr. COPELAND. By the adoption of the Platt amendment.

Mr. WILLIS. It was in the Platt amendment. It is in the Cuban constitution.

Mr. COPELAND. By reason of the Platt amendment it was written into the constitution.

Mr. WILLIS. Probably so; but there is the fact, making a distinction between the two.

Mr. McCORMICK. Mr. President, let me ask the Senator from New York if he has read the debate upon the Platt amendment, and more especially the remarks of Senator Morgan upon the motion to strike out Article VI, dealing with the Isle of Pines?

Mr. COPELAND. I have, yes; and I will say further in answer to the Senator from Illinois that there is a great mystery about this whole business, and we will debate this thing all the spring, and we will not know then just what was intended.

Mr. McCORMICK. Of course there is also some mystery about the League of Nations and the Geneva protocol—

Mr. COPELAND. I have understood so.

Mr. McCORMICK. And perhaps some mystery about the attitude of some of our Democratic Senators toward both.

Mr. COPELAND. If I may answer that, I am more concerned with the attitude of the Democratic voters. There is some mystery about them, too.

Mr. McCORMICK. Ah! There is a Daniel come to judgment, a wise young man.

Mr. SWANSON. Mr. President—

Mr. McCORMICK. I yield to the Senator from Virginia.

Mr. SWANSON. The Senator from Nebraska is not here now; but I wanted the Senate to understand that when the treaty of peace was made they did not convey to the United States any adjacent islands under Article II. All the United States got was Porto Rico and other islands under Spanish sovereignty. I want to make that clear. If "the adjacent islands" meant anything, the Isle of Pines was never conveyed when the treaty of peace was made; but they did convey Porto Rico and other islands under Spanish sovereignty. Now the question arises of interpreting "other islands under Spanish sovereignty"; and, as the Senator from Illinois in his speech has strikingly said, an interpretation was given to the exact language within 30 days when they evacuated it, and the interpretation given by an executive act was that it did not convey adjacent islands; but "other islands" did not include, even before this controversy arose, the Isle of Pines.

I want the Senate to understand that the United States never got adjacent islands. She got nothing except Porto Rico and other islands; and the United States decided when the evacuation came, in that very language, that Porto Rico and other islands could be surrendered to commissioners. Her contemporaneous interpretation was that "other islands" did not include the Isle of Pines.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. McCORMICK. I yield to the Senator. I was about to suggest to the Senator that the priests who preach against imperialism in the Caribbean none the less have wide phy-

Mr. WILLIS. Mr. President, of course nobody understands what that means; but I rose at this time—and then I shall not interrupt the Senator further—simply to say this, which I shall express within my own time: I utterly disagree with the interpretation put upon this matter and the interpretation put upon the decision of the Supreme Court by the Senator from Virginia. I did not want it to go that anybody is agreeing to that. I shall not interrupt the Senator further. He has been very kind, and I thank him.

Mr. McCORMICK. I admire the loyalty of the Senator to his fellow Ohioan, Mr. Meiklejohn.

Mr. WILLIS. He is not from Ohio, so far as I know. I should not be ashamed if he were.

Mr. SWANSON. Mr. President, since the Senator has been interrupted, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Dial	McCormick	Reed, Mo.
Ball	Dill	McKellar	Reed, Pa.
Bayard	Ferris	McKinley	Sheppard
Bingham	Fess	McLean	Shortridge
Borah	Fletcher	McNary	Simmons
Brookhart	George	Mayfield	Smoot
Broussard	Gooding	Means	Spencer
Bursum	Hale	Metcalf	Sterling
Butler	Harris	Moses	Swanson
Cameron	Harrison	Neely	Underwood
Capper	Hedin	Norris	Walsh, Mass.
Caraway	Howell	Oddie	Walsh, Mont.
Copeland	Johnson, Calif.	Overman	Warren
Couzens	Jones, Wash.	Pepper	Willis
Curtis	Kendrick	Ralston	
Dale	King	Ransdell	

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. McCORMICK. Mr. President, as I have suggested before, the question before the Senate is a question of history and of law, and if justice is to be done by the Senate, Senators must follow the argument and review the facts. Therefore, I venture to repeat the fourth article of the protocol of peace antecedent of the treaty of peace with Spain and the treaties with Cuba, in which it was set forth that the commissioners representing Spain and the United States should meet at Havana "for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands," and also appoint other commissioners "who shall meet at San Juan in Porto Rico for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies."

There is a distinction, I submit, not only made plain by the terms of the protocol, but manifest in the geography of the Antilles between Porto Rico and the other islands, on the one hand, and Cuba and the islands adjacent thereto on the other. Hence the language of the protocol and the treaties.

I have not been able to find upon whose authority or opinion Mr. Meiklejohn pronounced the Isle of Pines American territory, although it is established that he acted without the knowledge of his chief, the Secretary of War, and, indeed, absolutely contrary to the opinion of his chief. However, we do have the legal and administrative history of the Isle of Pines prior, first, to the Meiklejohn letters, written on January 13 and January 15, 1900; and, second, prior to the publication of the two maps by the Commissioner of the Land Office, which were the only means by which the American land companies calmed the qualms and quieted the doubts of those whom they persuaded to buy land on the Isle of Pines on the score that it was under the American flag.

Mr. SIMMONS and Mr. COPELAND addressed the Chair.

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from Illinois yield; and if so, to whom?

Mr. McCORMICK. I yield to the Senator from North Carolina.

Mr. SIMMONS. I understood the Senator to say a moment ago that he did not know of any authority possessed by Mr. Meiklejohn to render this opinion, and probably did not know of any contradiction of that authority. I wanted to call the Senator's attention to the fact that the then Secretary of War, Mr. Elihu Root, in reply to a very long letter—

Mr. McCORMICK. Explicitly denied that Mr. Meiklejohn consulted him.

Mr. SIMMONS. Denied that he had consulted him and stated positively that he had not.

Mr. McCORMICK. Mr. Meiklejohn did consult Mr. Root, Judge Magoon, the law officer of the War Department, subsequently denied that he had been consulted.

Mr. BORAH. When did Mr. Root write that letter with reference to the Meiklejohn letter?

Mr. SIMMONS. I will try to get the information for the Senator.

Mr. McCORMICK. He wrote it subsequent to the date of the Meiklejohn letter.

Mr. BORAH. That was after the change came over their dreams.

Mr. FLETCHER. That letter of Secretary Root was written in December, 1903.

Mr. McCORMICK. It remains to be discovered who hypnotized Mr. Meiklejohn.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New York?

Mr. McCORMICK. I do.

Mr. COPELAND. I am not sure but that the Senator from North Carolina asked this question—I could not hear him—but I wanted to inquire if the Senator from Illinois had formed any opinion as to the attitude of President McKinley in regard to this matter?

Mr. McCORMICK. Candidly, I think the administration withheld formal decision as to sovereignty over the Isle of Pines and compelled Cuba so to do in order the better to bargain with Cuba for a naval base.

Mr. COPELAND. There is no doubt in the mind of the Senator that Mr. McKinley apparently authorized Mr. Hermann to place the Isle of Pines on the map as American property?

Mr. McCORMICK. I think our Government was making ready to drive a hard bargain with Cuba for the greatest naval base in the Caribbean.

Mr. COPELAND. Does the Senator think that the United States can be put in the position ever of having driven a hard bargain with Cuba? We spent a half billion of our money, and some lives, and went to a lot of inconvenience. I do not think that Cuba, or the friends of Cuba, can ever believe that the United States has treated Cuba badly at any time, and certainly we are not now to have a war with Cuba over this particular thing, which, under the constitution of Cuba itself, is stated to be a thing which must be determined by treaty.

Mr. McCORMICK. Under the constitution of Cuba, by requirement of the Congress of the United States.

Mr. COPELAND. After all, it is in the constitution.

Mr. McCORMICK. But as a condition sine qua non to the recognition of the independence of Cuba by the United States.

Mr. COPELAND. I am sure the Senator remembers—and yet I think he is too young, perhaps, to remember that period—the great gratitude of the Cuban people, and their willingness to cooperate with us in any way possible.

Mr. McCORMICK. I think I am not too young to remember that Cuban leaders were loath to cede to us coaling stations on the island of Cuba.

Mr. COPELAND. Does the Senator think that there was some secret diplomacy, and that these two instruments—the treaty and the agreement as to coaling stations—were interlocking, in a sense?

Mr. McCORMICK. Will the Senator repeat that question?

Mr. COPELAND. If I understood the Senator from Virginia [Mr. SWANSON], he emphasized in his speech what was emphasized when the matter was up originally, that these two instruments—the agreement relating to the coaling stations and the treaty which was unconfirmed—were interlocking, one dependent on the other.

Mr. McCORMICK. Which treaty?

Mr. COPELAND. The treaty which was unconfirmed, the treaty which is now pending.

Mr. McCORMICK. Of course, they were interlocking.

Mr. COPELAND. Then the consideration which was written into that agreement was fraudulent, so far as the public was concerned, and that was not the real consideration. Is that the view of the Senator? I think it is Article I of the agreement which states that the consideration for the transfer of Guantanamo and the other coaling station should be the payment of \$2,000 a year in gold on the part of the United States.

Mr. McCORMICK. Yes; and it was also a consideration that we confirm Cuba in her sovereignty over the Isle of Pines.

Mr. BORAH. No—

Mr. WILLIS. That is not stated.

Mr. COPELAND. I do not think that is an accurate statement.

Mr. McCORMICK. It is set down in one of the treaties.

Mr. WILLIS. I think the Senator is mistaken as to that. If he will look at the instruments he will find that it is not referred to or suggested at all in either the contract for the lease or the lease.

Mr. McCORMICK. Oh, no; but in the—

Mr. COPELAND. In the pending treaty, if the Senator has article 2 of the pending treaty.

Mr. WILLIS. Oh, yes; but it is not in the contract for the lease or in the lease.

Mr. COPELAND. Let me ask about that. If we do not own the Isle of Pines, if we have no claim upon it, how can that be made a valuable consideration for the carrying out of a contract? And if we ever come to the ratification of this treaty I hope the Senator from Illinois will see that that is stricken from the treaty. It should be put on higher grounds than that we are relinquishing our right and title in consideration of a transaction which occurred 20 years ago, which is already being paid for at the rate of \$2,000 a year.

Mr. McCORMICK. If the treaty fails of ratification the Senator then would abandon Guantanamo?

Mr. COPELAND. I think not. We paid for Guantanamo.

Mr. McCORMICK. How much?

Mr. COPELAND. Two thousand dollars a year. Does the Senator think the consideration is too small?

Mr. McCORMICK. Will the Senator capitalize on that basis—weigh it against the price we paid for the Danish West Indies?

Mr. COPELAND. Is there not some considerable difference in area?

Mr. McCORMICK. There is, and all to the advantage of Guantanamo.

Mr. COPELAND. If the Senator feels, and if other Senators feel, that the consideration given for those coaling stations was inadequate, I will join the Senator or Senators in voting to Cuba whatever amount of money is necessary to make up for it; but I do stand here and protest, if the Senator will permit me to say it, against the idea that there was any collusion or conspiracy or any secret preparation in the writing of this treaty. These men had no business to interlock these two transactions, and for my part I do not reflect upon them, because I do not think they had any such intention, and I do not think that is what did happen.

Mr. WARREN. Mr. President, if the Senator will allow me to refer to what we may owe Cuba, Cuba owes us over \$7,000,000 now.

Mr. COPELAND. I am aware of that.

Mr. WARREN. And has owed it for years.

Mr. COPELAND. And I hope we will deal very generously with Cuba as regards that.

Mr. BORAH. Mr. President, the Senator from Illinois has stated with great candor, as is characteristic of the Senator from Illinois, that he is of the opinion—

Mr. McCORMICK. It would be unwise to be other than candid in the presence of the Senator from Idaho.

Mr. BORAH. I stated my proposition with sincerity. The Senator has stated that we held out the Isle of Pines in order to drive a hard bargain for a naval base at Guantanamo. I say that he has stated that, and it requires great courage and candor to state it.

Mr. McCORMICK. Perhaps I would have been more accurate to say the better to drive a bargain.

Mr. BORAH. The Senator is a master of language, but his language in this instance does not change the principle.

Mr. McCORMICK. No; and I think the debate at the time bears out the language I use now.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. McCORMICK. I have been interrupted so often that once more will not discomfit me.

Mr. NORRIS. Of course, if the Senator prefers that I do not—

Mr. McCORMICK. I yield to the Senator.

Mr. NORRIS. I am really going over old ground, but to me it is interesting. I would like, if there is any way to do it, to clear up the mystery referred to by the Senator from New York [Mr. COPELAND]. I believe he is justified in making that reference because to me there is a mystery about it. It was argued at length by the Senator from Virginia [Mr. SWANSON] in his very able argument the other day that at the time we got the coaling station there our negotiators in reality agreed with the Cuban negotiators that if they gave us the coaling station we would give them the Isle of Pines.

Mr. McCORMICK. Do not the two treaties bear the same date?

Mr. BORAH. No.

Mr. NORRIS. Be that as it may, I have inquired of many, and among others the Senator from Idaho, whether there was any record of that kind of deal or understanding, and I am told there is not a sentence in any of the official correspondence or any agreement or anything from anybody that there was such an agreement. I hope it is true that there was not such an agreement, because so far as I am concerned, while it was offered as an argument and is offered as an argument in favor of the approval of the treaty, it drives me the other way. If our negotiators made that kind of agreement they made it without any authority and the only effect now of producing that argument here is, as I look at it, to coerce Senators into voting for the ratification of the treaty. That is more important to me than the value of the Isle of Pines. I want to give it to Cuba if she is entitled to it, but I am not willing unless there is some evidence of it to believe that that was part of the deal and that it was kept out of all official correspondence. Our officials, from the President down, must have been into it, if that be true, and they have not said a word about it officially.

Mr. McCORMICK. We all very well remember the speech of the Senator from Nebraska upon the shameful provision of the treaty of Versailles for the occupation of Shantung by a foreign power. That speech stirred the conscience of the American people and aroused the Christian conscience of the world. I ask the Senator to read not only the document sent to us by the State Department but to read the debate of February 25 and days following—

Mr. KING. Of what year?

Mr. McCORMICK. 1901.

Mr. NORRIS. That was the debate on this treaty?

Mr. McCORMICK. Upon the Platt amendment. Let him then ask himself if there was not a singular silence on the part of those who insisted upon the adoption of the Platt amendment, including Article VI, touching the Isle of Pines. Let me say candidly that when I addressed myself to a study of the question, I had no prejudice one way or another. I had a perfectly open mind, and I have been compelled by the study I have been able to give to the debates of 1901, and of the treaties and the correspondence to conclude that in honor we are bound to confirm Cuba de jure in her de facto government over the Isle of Pines.

Mr. NORRIS. I have great respect for the Senator's judgment and his opinion after he has made a study that I have not been able to make. Does the Senator mean to tell us now that he is led to favor the approval of the treaty because he believes that at the time the Platt amendment was negotiated there was a secret understanding that we would give the Isle of Pines to Cuba? Does he reach that conclusion from the debates?

Mr. McCORMICK. I reach the conclusion that the majority of the Senate believed that we would be in a better position to negotiate for the lease of Guantanamo and Bahia Honda if we required Cuba to accept Article VI of the Platt amendment and leave the determination of the sovereignty over the Isle of Pines to determination by subsequent treaty.

Mr. NORRIS. If the Senator will permit me again, that does not answer the question that I am anxious to have answered by somebody who has studied it. I repeat, does the Senator reach the conclusion, from his study and examination of the debate on and negotiations that took place with regard to the Platt amendment and the coaling station, that we agreed or that our negotiators secretly agreed that if the Cubans would agree to it we would give them the Isle of Pines?

Mr. McCORMICK. I can not find that in the written record.

Mr. NORRIS. That is what I can not find. It is a mystery to me.

Mr. McCORMICK. I will ask the Senator, who wants to do justice, to read with open mind the debate of that time; to read the remarks of Senator Morgan, who wished to strike out of the amendment Article VI, because, he said, if it were included we never would secure sovereignty over the Isle of Pines.

Mr. NORRIS. Article VI was the one referring to the Isle of Pines?

Mr. McCORMICK. Yes; and those who supported the Platt amendment, including Article VI, practically speaking, said nothing in reply to Senator Morgan. They had the votes, and did not have to answer.

Mr. BORAH. I dislike to trespass upon the time of the Senator again, but I want to make this observation and then I shall not interrupt him again.

If it be true that the Isle of Pines was separated and divorced from Cuba in violation of the provision of Article I for the purpose of utilizing it as a part of the consideration for

a naval base, and that afterwards it did enter into and become a part of the consideration for a naval base, there must be evidence of that fact in the State Department. There is no possible justification for asking the Senate of the United States to ratify a treaty, the principal argument for which is that we are in honor bound by reason of the transaction to ratify it, without giving the Senate the facts in the State Department concerning it. It is absolutely inconceivable that such a transaction could have taken place and such a consideration could have existed without there being conversation, communication, and facts preserved in the State Department. We are entitled to have from the State Department the facts. At least we ought to be permitted here to know the facts before we vote, regardless of how we vote.

Mr. McCORMICK. I understand from the public prints that the archives of the State Department presently will be readily accessible to the Senator from Idaho.

Mr. BORAH. I am afraid not before I get a chance to have a vote on this treaty.

Mr. COPELAND. Mr. President, will the Senator from Illinois yield?

Mr. McCORMICK. I yield to the Senator from New York.

Mr. COPELAND. I think the Senator said, before he was interrupted by the Senator from Nebraska, that we are in honor bound to vote for the treaty. Did I understand him correctly?

Mr. McCORMICK. I feel that I am in honor bound to vote for the treaty.

Mr. COPELAND. Would the Senator mind telling the Senate why perhaps other Senators are in honor bound to do it?

Mr. McCORMICK. Each Senator is the judge of his own duty. I am not the keeper of the conscience of any Senator and do not pretend to be.

Mr. COPELAND. I am quite convinced that the eloquent tongue of the Senator might readily convince me at least. It might not convince anybody else. I would like to know some reason why I am in honor bound or whether perhaps the Senator will tell why he feels that he is in honor bound to do it? As for myself, I do not think that we are unjust to Cuba or unjust to anybody if we fail to agree that this particular treaty should be ratified. I can not see, for myself, why anybody is in honor bound to vote for it. I might be convinced that there are various reasons why it should be done, but I do not see how the question of honor enters at all into the transaction, because we are all honorable men.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER (Mr. McKellar in the chair). Does the Senator from Illinois yield to the Senator from Florida?

Mr. McCORMICK. I yield.

Mr. FLETCHER. In the speech of the Senator some suggestion was made as to what was in the minds of the negotiators when the lease at Guantanamo was made and when the treaty was proposed. There is this fact that seems to me to have considerable force. The agreement to lease or sell to the United States land, areas, water connections, and all for a coaling station was made first in the agreement of February 16, 1903. Following that agreement was the lease made July 2, 1903. That lease was negotiated through Mr. Squiers, the representative of the United States, and by Mr. Montes, the representative of Cuba. On the same day that lease was executed those same negotiators, Squiers representing the United States and Montes representing Cuba, entered into the first treaty, which is identical with the treaty now pending before Congress, which treaty was not ratified because it had to be ratified by its terms within seven months.

Mr. McCORMICK. I am grateful to Senators for making my speech for me.

Mr. FLETCHER. I thought that had a bearing on the inquiry of the Senator from Nebraska. He seems to want information, and the Senator from Idaho, too, calls upon the State Department to furnish evidence of any sort of understanding or agreement that may have been in the minds of the negotiators of the instrument.

Mr. McCORMICK. Mr. President, I will say to the Senator from Nebraska that if he will search the documents sent us from the State Department and the debates as well, I believe that he will feel as I do that there is a consideration involved in the confirmation of Cuban sovereignty over the Isle of Pines.

Mr. President, it is undisputed by any authority which has been brought to my attention that under the Spanish Crown the Isle of Pines was subject to the captaincy general of Cuba after its creation, and during the latter years, before the war

with Spain, was administered as part of the Occidental Province of Cuba or of Habana Province in Cuba. The history of the Cuban administration of the Isle of Pines began, as I say, not later than the creation of the Spanish captaincy general of Cuba, and indeed reaches back almost to the remote and romantic days when the British buccaneers blessed great Elizabeth and in the same breath damned the Spaniards, established English right and might as they had English freedom at home and English empire abroad, all the while they ravished, blithely and lawlessly, the galleons of Spain. The Cuban Government of the Isle of Pines or the government of the Isle of Pines by the captain general of Cuba is nothing new; it is very old.

According to the terms of the treaty with Spain, Cuba, including the Isle of Pines, by the act of our own administrators, became subject to the provisional government created by the United States. Under that Government the Isle of Pines continued to be administered, as before the war, as an integral part of the territory of Cuba. Its native inhabitants were counted as Cubans in the census of Cuba taken by the military authorities of the United States.

Therefore, I submit to the Senator from Nebraska [Mr. Norris], we have now come to the point where, confronted by the historical administration of the Isle of Pines as a part of Cuba, alike by the Spanish Crown and by the American military authorities, opponents of this treaty must give up attempting to prove title by Melkjohn's letters and claim the assertion of American authority over the Isle of Pines by virtue principally of Article VI of the Platt amendment.

Mr. NORRIS. Mr. President, may I now interrupt the Senator from Illinois?

Mr. McCORMICK. Certainly.

Mr. NORRIS. The Senator has made an argument that to my mind has great weight. It seems to me it is perfectly logical. No matter what I might think about it, I would have great faith in the argument the Senator is now making. What threw doubt into my mind more than anything else was the other argument, that we ought to confirm this treaty because of a secret agreement that was understood to be made by our negotiators and the Cuban negotiators that resulted in giving us a coaling station in the Isle of Pines. To my mind it is almost offensive when I am asked to do a thing of that kind. If the Senator's argument now being made is good—and I think it is good; it has a great effect upon my mind and my judgment, at any rate—assuming it to be good, how can we then back up and say, "Here is something that was already Cuba's; it has been hers all the time, but we made the Cubans believe that we were going to take it away from them and we got a valuable consideration out of them in the way of a coaling station."

To my mind that would be a dishonorable thing for our representatives to do. If we have done that, if we have secured a coaling station without adequate and fair compensation for it, and have taken advantage of the Cubans in that way, we ought yet to make amends for it, not by giving them something that was theirs all the time, and that was theirs honestly and of right, but we ought to pay them or even to get out of our coaling station and surrender it to them.

Mr. McCORMICK. Mr. President, unless our engagement in the war with Spain and our expulsion of Spain from the Antilles was sufficient consideration to require Cuba to cede us a coaling station, the Senator will find in the record no other adequate consideration, as he will see if he will permit me to continue my argument to the end. I do not want to pass judgment on the diplomacy of that time, but it seems to me to have been born in the mind of some one that after the discovery that the Isle of Pines afforded no desirable and secure anchorage, it would be wise to establish a lien upon the Isle of Pines and to compel Cuba under duress to acknowledge that lien against the day when the naval authorities would find, as they did find, the greatest naval harbor in the West Indies and which we hold and administer as if it were our own.

Mr. NORRIS. If we have—and I presume we do have—such a harbor, I should very much dislike to believe that we obtained it by any sharp methods of diplomacy over Cuba or that we concocted a claim for the Isle of Pines that had no foundation to it. If the Senator's other argument is correct, and we did not have any claim to it, but by that means we secured this valuable acquisition, we ought yet to apologize for having done so and make good.

Mr. McCORMICK. The Senator very well knows that in moments of difficult diplomatic negotiation threats are made or actions are taken which are tantamount to threats. He recalls the instance when a telegram was sent from Paris to make the *George Washington* ready to sail for America.

Mr. NORRIS. It is too bad she did not sail, in accordance with the threat.

Mr. McCORMICK. Now, I say that, searching for the truth, I have read the debate in the Senate, particularly during February 26 and 27, 1901, to discover the interpretation which the Senate at that time—recurring to the protocol with Spain—put upon Article VI of the Platt amendment, which reads, as follows:

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

The Senate then required that the Isle of Pines, which had been administered under the Captaincy General of Cuba, and under the American military government as an integral part of Cuba—

should be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

I say if Senators will study that debate, and more especially the address of Senator Morgan on page 3041 of the CONGRESSIONAL RECORD of that session, and the colloquy with his colleague from South Dakota, Senator Pettigrew, I think, on page 3049 of the RECORD, they will be driven to the conclusion that Senator Morgan obviously believed the United States ought to acquire coaling stations and naval harbors wherever available along the whole length of the Antilles, from St. Thomas to westernmost Cuba.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. McCORMICK. Would it be inconvenient for the Senator to ask the question a little later?

Mr. COPELAND. I will be glad to do so.

Mr. McCORMICK. Second, that Senator Morgan vainly sought to have the Senate strike Article VI from the Platt amendment because, undisputed by any of his colleagues, he voiced the conviction that the inclusion of Article VI in the Platt amendment would forever make impossible the acquisition of the Isle of Pines as American territory.

Mr. COPELAND. Mr. President, I hope the Senator will yield.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New York?

Mr. McCORMICK. I yield.

Mr. COPELAND. I am sure the Senator wants to be fair. I, too, have read the debate to which the Senator has referred, and my reading makes it very clear to me that Senator Morgan had no doubt that we owned the Isle of Pines. He said—

Mr. McCORMICK. Senator Morgan made it equally clear that if Article VI were included in the Platt amendment we would never acquire sovereignty to the Isle of Pines.

Mr. COPELAND. No; I do not agree to that.

Mr. McCORMICK. Well, there would be no debate to-day if the protocol, the treaty, and the debates of 20 years ago meant the same thing to all Senators. I trust the Senator from New York will attribute to me the same integrity of intention which I attribute to him.

Mr. COPELAND. Ah, Mr. President, I do absolutely, because I know the high character of the Senator.

Mr. McCORMICK. This would not be a vexed question and this treaty would not have been pending before the Senate for a score of years if there had been a unanimity of opinion.

Mr. COPELAND. But what Senator Morgan said was that—

For the purpose of giving the conferees a chance to save the Isle of Pines to the United States without a row with Cuba, I propose to strike out the sixth proposition of the amendment.

Mr. McCORMICK. Mr. President, on page 3040, in which is printed Mr. Morgan's speech of February 26, the Senator will find the following language, in which first Senator Morgan quotes Article VI of the treaty regarding the Isle of Pines, and then adds:

Mr. President, that is giving away the Isle of Pines to Cuba if she can beat us in a negotiation for it hereafter, when this treaty gives us as clear a title to the Isle of Pines as it does to Porto Rico or the Philippines.

Then follows, on page 3149, the passage which the Senator from New York quotes.

Mr. Pettigrew—not Mr. Pettus—in reply to Senator Morgan said:

Mr. President, I hope that amendment—

To strike out Article VI—

will not be adopted. It seems to me this is the most apparent illustration of the Anglo-Saxon greed for land ever presented in a legis-

lative body. The Isle of Pines is a sand bank, uninhabited, utterly worthless, without a harbor, and although it has been heretofore a part of Cuba under the Government of Cuba, governed from Cuba, and regarded by all the world as a part of Cuba, the same as the other islands along its coast, we propose to present a proposition for a contention over this worthless sand bar, simply to illustrate our greed for something that is not worth having, because it is a piece of the earth's surface.

Mr. COPELAND. I hope the Senator will read the reply of Mr. Morgan immediately following.

Mr. McCORMICK. I am about to do so.

Mr. Morgan said:

Mr. President, the Government of the United States could throw away a great deal of territory which the Senator from South Dakota thinks is not worth having, I have no doubt; but he is very much mistaken, or else I am, and the geographers are very much mistaken, if the Isle of Pines is not a very valuable possession, if it has not got a good harbor with deep water—

Consider such a statement when St. Thomas is useless as an anchorage for a battle fleet to-day. Now, I had great respect for Senator Morgan. He could address the Senate without splitting his infinitives or the ears of his colleagues.

Senator Morgan went on—

if it is not a very important naval station, and if it is not also the only place in which the United States can defend herself against the supposed power of Great Britain at Santa Lucia and at Jamaica.

That is farcical, although Senator Morgan did not know it at the time. As a naval base, the Isle of Pines is worth nothing; but once its citrus fruits are admitted duty-free in competition with those of Florida and of California, the land values there will double; hence the lobby in behalf of the defeat of this treaty.

I think the rest of the statement of the Senator is not germane to our discussion. It is only to be noted, let me say to the Senator from Nebraska, that the motion to strike out was lost without debate and without roll call.

It is an inescapable deduction from the debate, not only from what was said but from what was left unsaid as well, and from the terms of the treaties of 1903, by which the United States secured from Cuba impregnable Guantanamo, the greatest naval harbor in the Caribbean, that Article VI was included in the Platt amendment the better to enable the President of the United States to bargain, to negotiate with Cuba for the strategic military and naval base in the Caribbean which American policy had sought for generations.

American statesmen for decades preceding the war with Spain had vainly hoped for and fruitlessly sought safe anchorages and naval bases in waters like those of Samana Bay in the Dominican Republic, or Mole St. Nicholas in Haiti. With the end of the provisional government of Cuba, the hour had come when there could be secured for the American battle fleet not Samana, which was too open to the seas, nor Mole St. Nicholas, which was too confined; not the narrow and unsafe anchorages which officers of the United States had found in the Isle of Pines, but Bahia Honda and the impregnable and almost landlocked harbor of Guantanamo, the Gibraltar of the Caribbean.

Let me interject: Post-Jutland fleets can find no refuge at St. Thomas. When we were negotiating for the evacuation of the Dominican Republic, Dominicans were surprised to find that we no longer cared for rights at Samana. Why? Because at Guantanamo we had a harbor which more than any other dominated the trade routes to Panama, and for military purposes reduced Jamaica to a satrapy of the United States, administered at the expense of the Jamaican people and the British Government.

Thus it was that the framers of the Cuban constitution were required to agree, under Article VI of the Platt amendment adopted in 1901, that the title to the Isle of Pines should be "left to future adjustment by treaty." Thus we held the Isle of Pines in pawn against the day when we might confirm Cuban title to it in exchange for the lease to us of those two Cuban harbors of Bahia Honda and Guantanamo.

The language of all the treaties signed on the same day in 1903 confirms me in this view, in which I was so ably instructed by one of the Senators on the other side.

First, from the treaty relating to naval bases:

The United States of America agrees and covenants to pay to the Republic of Cuba the annual sum of \$2,000, in gold coin of the United States, as long as the former shall occupy and use said areas of land by virtue of said agreement.

All private lands and other real property within said areas shall be acquired forthwith by the Republic of Cuba.

The United States of America agrees to furnish to the Republic of Cuba the sums necessary for the purchase of said private lands and properties, and such sums shall be accepted by the Republic of Cuba as advance payment on account of rental due by virtue of said agreement.

The remaining articles deal with the mixed administration of the area.

From the treaty relating to the Isle of Pines, identical with this one except that in the first instance there was a limit fixed for its ratification, let me read:

The United States of America relinquishes in favor of the Republic of Cuba all claim of title to the Island of Pines, situate in the Caribbean Sea near the southwestern part of the Island of Cuba, which has been or may be made in virtue of Articles I and II of the treaty of peace between the United States and Spain, signed at Paris on the 10th day of December, 1898.

This relinquishment on the part of the United States of America of claim of title to the said Island of Pines is in consideration of the grants of coaling and naval stations in the island of Cuba heretofore made to the United States of America by the Republic of Cuba.

Mr. NORRIS. Is the Senator reading from the treaty now?

Mr. McCORMICK. I am.

Mr. NORRIS. Is that in the pending treaty?

Mr. McCORMICK. Yes.

Article III protects citizens of America—

who, at the time of the exchange of ratifications of this treaty, shall be residing or holding property in the Island of Pines.

The Senate 20 years ago ratified the treaty by which we acquired military control over the Cuban harbors, but for 20 years has held in abeyance, unrejected and unratified, the treaty to confirm Cuba in her sovereignty over the Isle of Pines as part of the consideration in payment for the two harbors.

We have been all unconsciously guilty of a breach of faith. We have taken something and have failed to pay the price we promised to pay for it.

With due respect to the opinions of others, I invite the attention of the Senate to the oft-quoted letters of Elihu Root, the first of which he wrote on December 18, 1903, as Secretary of War, and the second on November 27, 1905, as Secretary of State. I read:

I never advised prospective purchasers of property on the Isle of Pines, but when the subject was first brought to me, early in 1900, I directed a reply to be made to all inquiries that the question of the status of the Isle of Pines was one which it was not the province of the War Department to answer. I have since learned that a former Assistant Secretary of War had previously, without my knowledge or authority, directed an Assistant Adjutant General to say that the island belonged to the United States. I never thought so. It had been for several centuries, in common with the hundreds of other islands surrounding the coast of the mainland of Cuba, included in the political division of the Spanish Kingdom known as Cuba. It had long been a part of the Province of Habana, which was a political division of Cuba. I think it was included under the terms of "Cuba" as used in the treaty of Paris, and, therefore, not in the description "Porto Rico and other islands." I think at the time the treaty was made it was as much a part of Cuba as Nantucket is a part of Massachusetts.

The second letter reads, in part:

The island is lawfully subject to the control and government of the Republic of Cuba, and you and your associates are bound to render obedience to the laws of that country so long as you remain on the island * * *. The treaty now pending before the Senate, if approved by that body, will relinquish all claim of the United States to the Isle of Pines. In my judgment the United States has no substantial claim to the Isle of Pines. The treaty merely accords to Cuba what is in accordance with international law and justice.

Let me draw the attention of the Senator from Nebraska to this passage:

At the time of the treaty of peace which ended the war between the United States and Spain, the Isle of Pines was and had been for several centuries a part of Cuba. I have no doubt whatever that it continues to be a part of Cuba, and that it is not and never has been territory of the United States. This is the view with which President Roosevelt authorized the pending treaty, and Mr. Hay signed it, and I expect to urge its confirmation.

Mark you what follows in Mr. Root's letter:

Nor would the rejection of the pending treaty put an end to the control of Cuba over the island. A treaty directly contrary to the one now pending would be necessary to do that * * *.

That is the interpretation which the Treasury Department put upon the treaty with Spain in levying customs duties upon imports from the Isle of Pines.

The case finally reached the Supreme Court April 8, 1907, which, in *Pearcy v. Stranahan*, found that the Isle of Pines was, governmentally speaking, de facto an integral part of Cuba at the time the treaty of Paris was made, a fact which "all the world knew," and, further, that the Isle of Pines was not one of the "other islands" ceded to the United States by Article II of the treaty.

Mr. President, the importance of the decision by Chief Justice Fuller, in my opinion, is enhanced very greatly by the fact that the Hon. William R. Day, associate justice of the court in 1907, and who concurred in the decision, had been Secretary of State when the Spanish War was ended, had signed the protocol of peace, and had served as chairman of the commission appointed to negotiate the treaty of peace with Spain. Senators surely will not challenge Justice Day's understanding of the treaty of Paris or of the protocol of August 12, 1898, concluding hostilities, of which Article IV provided for the evacuation of "Cuba and the adjacent Spanish islands" on the one hand, while on the other hand the second article of the treaty speaks of "Porto Rico and other islands now under Spanish sovereignty in the West Indies."

Since the question has been raised, I think by the Senator from Ohio [Mr. WILLIS], there remains to be considered, if any think it worthy of consideration, the argument that we have discharged our obligation to Cuba for the cession or lease to us of sovereign rights in the harbors of Guantanamo and Bahia Honda by the payment of \$2,000 a year rental under the treaty of July, 1903.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Montana?

Mr. McCORMICK. I yield.

Mr. WALSH of Montana. The Senator has referred to the views of Justice Day, one of the negotiators of the treaty, in concurring in the opinion of the Supreme Court, and reference has been made to the views of the other members of the commission which negotiated the treaty, some of them in favor of the contention made by those opposing the treaty, and others—

Mr. McCORMICK. Some others in doubt.

Mr. WALSH of Montana. Others in doubt. Does it not seem likely that at the time the treaty was negotiated none of the negotiators had given consideration or paid any attention to the question in issue, namely, whether the Isle of Pines was or was not a part of Cuba?

Mr. McCORMICK. It seems very clear, especially in the light of the terms of the protocol, that they weighed that whole question.

Mr. WALSH of Montana. What I mean is, no doubt the members of the Supreme Court, when the thing was argued before them, gave specific attention to this question, and it has been carefully canvassed upon the floor of the Senate here as to whether it was or was not a part of the protocol; but it occurs to me that the commissioners gave no attention to that specific question at the time the treaty was being negotiated.

Mr. McCORMICK. There was no allusion to it.

Mr. WALSH of Montana. So the mere declaration on the part of one Member that he understood that it was included does not seem to me to have any very persuasive significance, either the one way or the other.

Mr. McCORMICK. I think the Senator's point is admirably taken.

I was about to say that the rental of \$2,000 a year would capitalize the greatest military harbor on the trade route to Panama at \$50,000.

Mr. WALSH of Montana. If the Senator will pardon me further about that other matter, reference is made to the letter of Meiklejohn, and it is also claimed that President McKinley, although the evidence with respect to that is rather dubious in character, gave directions that this island be marked on the map as a part of the territory of the United States. But who is there who can tell us that President McKinley gave to this question one-tenth part the consideration that has been given to it right here in the Senate? What did President McKinley know about it? What investigation did he ever make as to whether this island was or was not to be included in the island of Cuba?

Mr. McCORMICK. I was about to contrast the capital value of \$50,000 of Guantanamo under the terms of the lease with the \$25,000,000 which we paid for St. Thomas, which,

since the Battle of Jutland, is insufficient and inadequate, and therefore useless and valueless as a harbor or base for any battle fleet. That would mean that we would pay the richest little Government in the world \$2,000 a year for the sovereign use of one of the most important naval harbors in this hemisphere. Under this ludicrous construction Cuba would have ceded to us her most formidable harbor for an addition of 1 or 2 per cent to her annual revenue. That is ridiculous. The sum is a nominal consideration for the lease for which the real consideration is clear title by treaty to the Isle of Pines.

Mr. President, I have taxed the patience of Senators in order thus to present to the Senate the historical fact that the Isle of Pines has been an integral part of the territory of Cuba from remote time until this very hour and was administered as such even during the administration of Cuban affairs under Governor Wood prior to the adoption of the Cuban Constitution and later under Governor Magoon during the period of American intervention. I have laid before the Senate the evidence which has convinced me that in the Supreme Court decision Justice Day, who as Secretary of State negotiated the protocol and the treaty of peace, held with Secretary Root that the Isle of Pines was politically and geographically appurtenant to Cuba and not one of the "other islands" which, together with Porto Rico, Spain ceded to the United States.

Finally, as conclusive evidence of the general opinion of the Senate 20 years ago, I have cited the refusal of our predecessors in this body to strike from the Platt amendment Article VI, under which they purposed to drive a bargain with Cuba for Guantanamo. I have shown that the bargain was made; that there is no constitutional impediment to its fulfillment, which has been delayed and delayed and again delayed largely because of the influence exercised upon the Senate by the American owners of land in the Isle of Pines. I do not wonder that, beholding the peace, profit, and progress which have inured to the people of Porto Rico under the American flag, those landowners seek an American government for the Isle of Pines or for the fruits of their orchards a free American market. I do not wonder that they would fly over courthouse and schoolhouse the Stars and Stripes and no other flag. There are Americans who would have none but the American flag fly north of the Isthmus of Panama, where now fly a dozen other flags of European sovereigns or American Republics.

Senators, we must bear in mind that the government in the Isle of Pines to-day is a Cuban government, as it was a Cuban government 20 years ago and five times 20 years ago. It is not enough to reject this treaty to bring the Isle of Pines under the Government of the United States. Another treaty, absolutely contrary to this in purpose, must be negotiated and ratified by the Presidents and Senates of two countries before that can be. If there be any who say that the ratification of this treaty will jeopardize the property or the personal rights of America in the Isle of Pines, I would answer, first, that they have exercised their rights for 20 years under Cuban Government; and, secondly, that the Americans in the island of Cuba itself are ten times as many as in the Isle of Pines and that the total of American capital invested in the island of Cuba is well-nigh a hundredfold as great as the amount invested in the Isle of Pines.

Let us act upon this treaty in the interest of that justice which insures solidarity and peace among the American nations.

Justicia * * * es la paz del pueblo.

Runs an old Spanish proverb—

Justicia * * * es la paz del pueblo.

Let us in common candor and simple honesty vote upon this treaty to ratify it or to reject it. It has been pending before the Senate for over a score of years; four times it has been reported from the Committee on Foreign Relations; it is well-nigh 20 years since Senator Foraker, with incontrovertible fact and remorseless logic, answered the opponents of the treaty, and yet year after year we have failed to face the issue. Let the Senate, if it will, in bad conscience and with good courage reject the treaty or let it with good conscience and equal courage ratify the treaty. Policy, justice, honor, all call for the ratification of the treaty. The historical, legal, and moral title of Cuba to the island is so clear, that rejection of the treaty by the Senate will not be construed as a mere difference between the Senate and the Executive, but rather as a callous indifference on our part to the rights of a sister Republic unable to assert those rights against the mighty colossus of the North. The defeat of this treaty will not impair the beneficial influence of the United States in Cuba but it will injure us in all Latin America. It will make difficult the friendly exer-

cise of those good offices through which by persuasion we have been able to contribute to internal and international peace in the other Republics to the south of us. At the very moment when American marines are withdrawing from Nicaragua, and almost at the hour when by treaty we are to confirm their wise withdrawal from the Dominican Republic, it will give color to the charges made against us, that we have little regard for the rights of the weaker States in the Caribbean; it will add greatly to the number of those in Latin America who voice their distrust of us. The failure of the treaty must inevitably harm our credit and commerce in this hemisphere, but far worse impair our influence and challenge our honor in all the other Republics of the Americas.

Mr. HALE. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed legislative session.

NAVY DEPARTMENT APPROPRIATIONS

Mr. HALE. I ask that the Navy appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, under the heading "Bureau of Navigation, Transportation, and Recruiting," on page 10, line 2, before the word "shall," to strike out "vessels" and insert "transports," so as to read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy and Naval Reserve Force while traveling under orders, and officers performing travel by Government-owned transports shall only be entitled to reimbursement of actual and necessary expenses incurred.

Mr. HALE. I ask that the committee amendment be disagreed to.

The amendment was rejected.

Mr. HALE. I move, on page 10, line 2, after the word "vessels," to insert the words "for which no transportation fare is charged."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 10, line 2, after the word "vessels," insert "for which no transportation fare is charged," so as to read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy and Naval Reserve Force while traveling under orders, and officers performing travel by Government-owned vessels for which no transportation fare is charged shall only be entitled to reimbursement of actual and necessary expenses incurred.

The amendment was agreed to.

The next amendment was, under the subhead "Recreation for enlisted men," on page 11, line 7, after the word "prescribe," to strike out "\$500,000" and insert "\$350,000," so as to read:

For the recreation, amusement, comfort, contentment, and health of the Navy, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, \$350,000: *Provided*, That the amount paid from this appropriation for personal services of field employees shall not exceed \$64,000.

The amendment was agreed to.

The next amendment was, under the subhead "Naval War College, Rhode Island," on page 15, at the beginning of line 15, to strike out "\$91,800" and insert "\$106,000"; in line 17, after the name "War College," to strike out "\$1,200" and insert "\$2,000"; at the end of line 19, to strike out "\$100,000" and insert "\$115,000"; and at the end of line 23 to strike out "\$62,500" and insert "\$70,466," so as to make the paragraph read:

For maintenance of the Naval War College on Coasters Harbor Island, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; and care of ground for same, \$106,000; services of a professor of international law, \$2,000; services of civilian lecturers, rendered at the War College, \$2,000; care and preservation of the library, including the purchase, binding, and repair of books of reference and periodicals, \$5,000; in all, \$115,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, and messenger service for the fiscal year ending June 30, 1926, shall not exceed \$70,466.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Ordnance, Ordnance and Ordnance Stores," on page 25, at the end of line 10, to strike out "\$10,125,000" and insert "\$10,500,000," so as to read:

For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy classification of accounts"; for machinery and machine tools; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed \$10,000 for minor improvements to buildings, grounds, and appurtenances, and at a cost not to exceed \$750 for any single project; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools during the fiscal year 1926 at ordnance stations at Indianhead, Md.; Dahlgren, Va.; and South Carolina, W. Va., \$10,500,000.

The amendment was agreed to.

The next amendment was, under the heading "Public works, Bureau of Yards and Docks," on page 37, line 3, after the figures "\$25,000," to insert a semicolon and "for improvements to building No. 138, \$20,000; in all \$45,000," so as to read:

Navy yard, Portsmouth, N. H.: Repairs to coaling plant, \$25,000; for improvements to building No. 138, \$20,000; in all, \$45,000.

The amendment was agreed to.

The next amendment was, under the heading "Naval Academy," on page 41, after line 15, to insert:

Until June 30, 1926, if for any cause the number of civilian professors or instructors employed in the United States Naval Academy on January 1, 1925, shall be reduced after such latter date, no commissioned officer of the Navy shall be detailed or allowed to teach the subject or subjects theretofore taught by such civilian professors or instructors whose service connection with the academy may have been so terminated: *Provided*, That in reducing the number of civilian professors no existing contract shall be violated: *Provided further*, That no civilian professor, associate, or assistant professor, or instructor shall be dismissed, except for sufficient cause, without six months' notice to him that his services will be no longer needed.

Mr. KING. May I inquire of the Senator in charge of the bill if I properly interpret the amendment just read? Does the amendment prohibit the utilization of any naval officer, no matter what his qualifications may be, for instruction at the Naval Academy at Annapolis if there has been, within a limited period of time, some civilian employed to teach the same subject?

Mr. HALE. This is the same provision that was in the bill last year. It provides that no civilian instructor shall be discharged and his place taken by a naval officer as an instructor.

Mr. KING. I would like to inquire the reason for the provision. It seems to me if a naval officer is more competent to teach a subject than a civilian, his services should be utilized even though it might result in dispensing with the services of a civilian.

Mr. HALE. For a long time there has been a tendency to cut off civilian instructors at the Naval Academy at Annapolis. The number of civilian instructors has gradually fallen off year by year. Last year the number was 77 at the time the bill was taken up for consideration. This year the number has been reduced to 63. The provision is put in so that civilian instructors shall not be discharged and their places filled by officers. The committee considered that keeping on the civilian instructors was important. If we put in this provision a change will be made from the text of the bill as the House passed it. We can then take the matter up in conference and probably get some more satisfactory wording than that now proposed.

Mr. KING. It occurs to me that the proper way to handle the subject would be to employ civilian instructors with respect to certain branches which should be taught; for instance, Latin, Greek, and the higher mathematics.

Mr. HALE. I think that is now done.

Mr. KING. As to matters that deal with the Navy that come particularly within the instruction which must be given the young men to equip them for the naval service, obviously officers are more competent than civilian instructors to teach.

Mr. HALE. That is quite true, and all those subjects are taught now by naval officers. The committee did not feel that all the civilian instructors should be crowded out. There is a disposition on the part of some people to supplant civilian instructors almost altogether with naval officers, and the committee felt that that ought to be guarded against. Therefore we proposed the amendment.

Mr. KING. I am not in sympathy with that movement.

Mr. HALE. I know the Senator is not.

Mr. KING. It seems to me that as many officers as possible should be kept at sea. We do not educate them in the Naval Academy to spend all their time on shore duty. Unfortunately there is too much of a tendency among some naval officers to seek soft berths on shore and not to do their full duty at sea.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 42, at the end of line 5, to strike out "\$154,800" and insert "\$155,020," and in line 11, after the word "grounds," to strike out "\$131,794" and insert "\$131,574," so as to make the paragraph read:

For pay of employees at rates to be fixed by the Secretary of the Navy, as follows: Administration, \$155,020; department of ordnance and gunnery, \$16,952; departments of electrical engineering and physics, \$17,727; department of steamship, \$8,880; department of marine engineering and naval construction, \$47,922; commissary department, \$188,993; department of buildings and grounds, \$131,574; in all, \$567,068.

The amendment was agreed to.

The next amendment was, on page 43, line 26, to strike out "\$1,000,000" and insert "\$1,026,500," so as to make the paragraph read:

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls inclosing the grounds of the Naval Academy, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor; advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes, fuel for heating and lighting bandmen's quarters; pay of inspectors and draftsmen; music and astronomical instruments; and for pay of employees on leave, \$1,026,500.

The amendment was agreed to.

The next amendment was, under the heading "Marine Corps, mileage," on page 45, at the beginning of line 17, to strike out "vessels" and insert "transports," so as to make the paragraph read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$125,000: *Provided*, That officers performing travel by Government-owned transports shall only be entitled to reimbursement of actual and necessary expenses incurred.

Mr. HALE. I ask that the committee amendment be disagreed to.

The amendment was rejected.

Mr. HALE. I now move on page 45, line 17, after the word "vessels" to insert the words "for which no transportation fare is charged."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 45, line 17, after the word "vessels" insert the words "for which no transportation fare is charged," so as to read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$125,000: *Provided*, That officers performing travel by Government-owned vessels for which no transportation fare is charged shall only be entitled to reimbursement of actual and necessary expenses incurred.

The amendment was agreed to.

The next amendment was, on page 45, after line 23, to insert:

No officer of the Navy or Marine Corps, while on leave of absence engaged in a service other than that of the Government of the United

States, shall be entitled to any pay or allowances for a period in excess of that for which he is entitled to full pay, unless the President otherwise directs.

Mr. KING. Why is the President given authority to augment the pay of an officer?

Mr. HALE. This is the same provision that was put in the bill last year. It was put in at the time that General Butler was placed in charge of the police force in Philadelphia, and the provision was to take care of his case. I think it was done at his own request, because he did not wish to have any question come up about his receiving double pay.

Mr. KING. The Senator can assure us that it is not the purpose of the provision to enable officers of the Navy to obtain from the Treasury of the United States pay above that which is fixed by law?

Mr. HALE. No; it is the purpose of the committee to prevent anything of the sort.

Mr. KING. I am not so sure that the words "unless the President otherwise directs" might not permit the Chief Executive to grant additional compensation.

Mr. HALE. I do not think there is any chance that the President will use his authority for any such purpose.

Mr. KING. I have no objection to granting the President the authority if leave of absence is given, as in the case of General Butler, and issue an order which would entitle him to receive, as in that case, from the city of Philadelphia compensation in excess of that allowed by law; but I do not think that the President ought to be permitted to issue an order that will increase the compensation which is to be paid out of the Treasury of the United States.

Mr. HALE. The committee amendment has the same wording as the provision contained in the bill last year, and I can assure the Senator there is no question of what he has suggested being done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the heading "Increase of the Navy," on page 49, at the end of line 10, to strike out "\$6,944,000" and insert "\$7,444,000," so as to read:

The Secretary of the Navy may use the unexpended balances on the date of the approval of this act under appropriations heretofore made on account of "Increase of the Navy," together with the sum of \$7,444,000 which is hereby appropriated for the prosecution of work on vessels under construction on such date, the construction of which may be proceeded with under the terms of the treaty providing for the limitation of naval armament; for continuing the conversion of two battle cruisers into aircraft carriers, including their complete equipment of aircraft and aircraft accessories, in accordance with the terms of such treaty; toward the construction of two fleet submarines heretofore authorized, to have the highest practicable speed and greatest desirable radius of action and to cost not to exceed \$5,300,000 each for construction and machinery and \$850,000 each for armor, armament, and ammunition; for the settlement of contracts on account of vessels already delivered to the Navy Department; for the procurement of gyro compass equipments, and for the installation of fire-control instruments on destroyers not already supplied; for the installation of fire-control apparatus on the *Colorado* and *West Virginia*; and for the completion of armor, armament, ammunition, and torpedoes for the supply and complement of vessels which may be proceeded with as hereinbefore mentioned.

The amendment was agreed to.

Mr. HALE. I have two or three amendments which I was instructed by the committee to offer. I present the first of those amendments.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 2, after line 24, it is proposed to insert the following:

The Secretary of the Navy is authorized to fix the rates of compensation of civilian employees in the field services under the Navy Department to correspond, so far as may be practicable, to the rates established by the classification act of 1923 for positions in the departmental services in the District of Columbia, notwithstanding the salary restrictions in other acts which limit salaries to rates in conflict with the rates fixed by the classification act of 1923 for the departmental services.

Mr. SWANSON. To that amendment I desire to offer an amendment. There is a question as to whether the committee amendment would affect the wages of employees in the Navy Department which are fixed by wage boards. Some think it will and some think it will not. The purpose of the amend-

ment which I wish to offer to the committee amendment is to provide that those wages shall not be so affected. Those employees were omitted from the classification act, but the action now proposed, of course, is subsequent to that. I offer an amendment designed to carry out the purpose I have indicated. It will certainly do no harm. I have made inquiries and there is some doubt as to the provision without the amendment which I suggest. The amendment which I offer to the committee amendment is to add a proviso, as follows:

Provided, That this is not to be construed as applying to those employees whose compensation, prior to July 1, 1925, has been revised from time to time by wage boards to conform with that paid in the vicinity.

I offer that amendment to the committee amendment and hope the Senator in charge of the bill will accept it.

Mr. HALE. I have already read the amendment the Senator has offered to the committee amendment, and I accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FLETCHER. Mr. President, there is an amendment which I submitted to the committee to which I am sure there is no objection, and I ask the Senator if he will not allow that amendment to be considered and acted upon now?

Mr. HALE. I did not intend to take up any amendment to-day except committee amendments and those which I was authorized to offer on behalf of the committee. If the Senator from Florida will wait until a little later we can take up his amendment.

Mr. FLETCHER. Very well.

Mr. HALE. I send to the desk another amendment, and I ask that it be adopted.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 11, line 9, after the word "employees," it is proposed to insert "exclusive of temporary services."

Mr. KING. I will ask the Senator what is the object of that amendment?

Mr. HALE. The limitation of \$64,000 refers to salaries under "Recreation of the Navy," but under this head a good deal of outside work is done where it is necessary to employ people temporarily. It was not intended to include these temporary employees in the limitation. The amendment to the amendment is put in as a safeguard.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine on behalf of the committee.

The amendment was agreed to.

Mr. HALE. I offer a further amendment.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 15, line 6, after the word "consent" and before the colon, it is proposed to insert:

Provided further, That until June 30, 1926, members of the Volunteer Naval Reserve may, in the discretion of the Secretary of the Navy, be issued such articles of uniform as may be required for their drills and training, the value thereof not to exceed that authorized to be issued to other classes of the Naval Reserve Force and to be charged against the clothing and small stores fund: *Provided further*, That until June 30, 1926, of the Organized Militia as provided by law, such part as may be duly prescribed in any State, Territory, or for the District of Columbia shall constitute a Naval Militia; and until June 30, 1926, such of the Naval Militia as now is in existence, and as now organized and prescribed by the Secretary of the Navy under authority of the act of Congress approved February 16, 1914, shall be a part of the Naval Reserve Force, and the Secretary of the Navy is authorized to maintain and provide for said Naval Militia as provided in said act: *Provided further*, That upon their enrollment in the Naval Reserve Force, and not otherwise until June 30, 1926, the members of said Naval Militia shall have all the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force; and that, with the approval of the Secretary of the Navy, duty performed in the Naval Militia may be counted as active service for the maintenance of efficiency required by law for members of the Naval Reserve Force.

Mr. KING. I inquire of the chairman of the committee whether or not the item covered by the amendment just offered ought not properly to come in the Naval Reserve bill, which is on the calendar, and which will doubtless be considered before we adjourn?

Mr. HALE. The reason for putting this amendment into this bill is this: The Naval Reserve bill, to which the Senator refers, may not be enacted at this session, and if it shall not

become a law and the legislation now proposed shall not be passed, certain organizations connected with the Naval Reserve will be thrown out entirely. This is the same provision that was in the last naval appropriation bill.

Mr. KING. Is it in harmony with the provisions of the Naval Reserve bill?

Mr. HALE. Yes.

Mr. KING. And it does not increase the expense to the Government beyond that provided in the Naval Reserve bill?

Mr. HALE. It does not. It merely takes care of these organizations for the next fiscal year, as they are at present taken care of in the event that the Naval Reserve bill does not become a law at this session of Congress.

Mr. KING. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine in behalf of the committee.

The amendment was agreed to.

Mr. HALE. I offer a further amendment.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 34, line 11, after the numerals "\$375,000," it is proposed to insert the following:

Provided, That the Secretary of the Navy is hereby authorized to construct necessary additional buildings at the naval hospitals at Pearl Harbor, Hawaii; Chelsea, Mass.; Newport, R. I.; New York, N. Y.; League Island, Pa.; Norfolk, Va.; Great Lakes, Ill.; Puget Sound, Wash.; Guam; and Canacao, P. I., at a total cost not to exceed \$715,500, which total expenditure for the purposes aforesaid shall be made from the naval hospital fund.

The amendment was agreed to.

Mr. HALE. That is all the committee amendments for the present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11308) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes; and also that the House had receded from its disagreement to the amendments of the Senate Nos. 7 and 8 to the said bill and concurred therein.

Mr. WARREN. Mr. President, I should like to take a moment of the time of the Senate to refer briefly to the message which has just been received from the House informing the Senate that that body has agreed to the conference report on the urgent deficiency appropriation bill. I merely wish to say that the action of the House completes the appropriation bill, the conference report on which was under discussion yesterday, the House having yielded to the Senate on the two matters which went back to the House in disagreement.

WORLD COURT

Mr. SHIPSTEAD. Mr. President, I shall delay the Senate for only a few minutes for the purpose of discussing a subject that seems to have caused a great deal of confusion in the Senate and in the minds of many people. I refer to the present status of legislation pertaining to the question of adherence of the United States to the so-called World Court of International Justice.

I am receiving letters and telegrams every day asking me, as a member of the Foreign Relations Committee, to do my part to get some action by the Committee on Foreign Relations to report upon this question to the Senate. These letters and telegrams are plainly inspired by persons traveling through the country addressing meetings of various kinds and urging upon various people the necessity of writing or telegraphing members of the Foreign Relations Committee to take some action upon the World Court. These letters and telegrams carry the implication that many people are resentful of the lack of action on this question and, for some reason unknown to me, they have been led to believe that the fault lies with the Committee on Foreign Relations. As a matter of fact, the Committee on Foreign Relations has already acted upon the matter. In the last session of Congress a subcommittee of the Foreign Relations Committee, of which I was a member, was selected by the chairman for the purpose of conducting public hearings upon this question. These public hearings were held. The committee was in session for many days and gave every person favoring this kind of legislation and desiring to be heard an opportunity to be heard. The testimony at the hearings was printed and made available to members of the full committee and of the Senate. The Committee on Foreign Relations then

discussed the various proposals for the World Court and finally reported to the Senate Senate Resolution 234, a resolution advising the adherence of the United States to the existing Permanent Court of International Justice with certain amendments.

As a member of the committee who up until this time has been unable to see how this proposed piece of legislation will accomplish what its proponents claim for it, I voted to report the resolution to the Senate in order that the question could be taken up on the floor of the Senate, debated, and brought to an early vote. I took this action because I believe that any question in which there is such a manifest interest on the part of many people should have an opportunity to be debated and voted upon on the floor of the Senate at the earliest possible moment. I have been waiting for Senators supporting the proposition of adherence to the World Court to move consideration of the resolution in the Senate. This has not been done. The resolution is now upon the Senate Calendar. It is there by action taken by the Committee on Foreign Relations.

Their work as a committee is finished. Further action is now up to the Senate. If Members of the Senate who favor action by the Senate upon the question of World Court do not act very soon, I intend to move the consideration of "Senate Resolution 234, a resolution advising the adherence of the United States to the existing Permanent Court of International Justice, with certain amendments."

Such a motion when made will give every Senator who desires action upon this question the opportunity to record his vote in favor of such action. If a majority of Senators favor such action they will vote for that motion, and that motion will prevail. This will give the proponents of the World Court of International Justice with the Harding-Hughes reservations an opportunity to move to substitute that plan or any other pet measure for a world court for Senate Resolution No. 234. In fact such a motion will bring before the Senate the entire question of the world court in all its variations.

I want to say that I shall make this motion solely for the purpose of complying with the requests of those who desire an early determination of this question, but reserve the right to oppose, according to my conscience and best judgment any or all of the various proposals that may be considered by the Senate.

EXECUTIVE SESSION

Mr. JONES of Washington. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, January 19, 1925, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 17 (legislative day of January 15), 1925

COMMISSIONER OF IMMIGRATION

Norval P. Nichols, of Porto Rico, to be commissioner of immigration at the port of San Juan, P. R.

JUDGE OF POLICE COURT OF THE DISTRICT OF COLUMBIA

John P. McMahon, of the District of Columbia, to be judge of the police court, District of Columbia. (Mr. McMahon is now serving under recess appointment.)

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONEL

Lieut. Col. James Millard Little, Infantry, from January 11, 1925.

TO BE LIEUTENANT COLONEL

Maj. Edward Jay Moran, Infantry, from January 11, 1925.

TO BE MAJOR

Capt. Walter Wood Hess, jr., Field Artillery, from January 11, 1925.

TO BE CAPTAIN

First Lieut. Richard Allen, Quartermaster Corps, from January 11, 1925.

TO BE FIRST LIEUTENANTS

Second Lieut. Wayne McVeigh Pickels, Quartermaster Corps, from January 11, 1925.

Second Lieut. Owen Russell Marriott, Field Artillery, from January 11, 1925.

PROMOTION IN THE NAVY

MARINE CORPS

Maj. Gen. John A. Lejeune to be major general commandant of the Marine Corps for a period of four years from the 5th day of March, 1925.

POSTMASTERS

ARIZONA

Raymond W. Still to be postmaster at Tempe, Ariz., in place of H. E. Lalrd. Incumbent's commission expired June 5, 1924.

CALIFORNIA

Claude C. Hayes to be postmaster at Salida, Calif., in place of S. K. Rolefson, resigned.

Denver C. Jamerson to be postmaster at Cottonwood, Calif., in place of V. H. Rice. Incumbent's commission expired February 11, 1924.

COLORADO

Clare Baker to be postmaster at Rico, Colo., in place of R. R. Breder, resigned.

CONNECTICUT

Walter H. DeForest to be postmaster at Derby, Conn., in place of P. L. Shea. Incumbent's commission expired June 5, 1924.

FLORIDA

John E. Brecht to be postmaster at Fort Myers, Fla., in place of B. C. Foxworthy, resigned.

GEORGIA

James H. McWhorter to be postmaster at Wrightsville, Ga., in place of J. H. McWhorter. Incumbent's commission expired July 28, 1923.

William A. Adams to be postmaster at Fitzgerald, Ga., in place of W. A. Adams. Incumbent's commission expired February 4, 1924.

Charles P. Graddick to be postmaster at Barnesville, Ga., in place of C. P. Graddick. Incumbent's commission expired August 29, 1923.

INDIANA

James J. Speck to be postmaster at Greentown, Ind., in place of D. A. Riley. Incumbent's commission expired June 5, 1924.

IOWA

George H. Falb to be postmaster at Elgin, Iowa, in place of T. J. Capper. Incumbent's commission expired August 5, 1923.

Leslie E. Kislingbury to be postmaster at Alta, Iowa, in place of N. A. Christensen, removed.

KANSAS

Ulysses E. Van Dyke to be postmaster at Woodston, Kans., in place of W. M. Stehley. Incumbent's commission expired June 4, 1924.

August Bernasky to be postmaster at Ingalls, Kans., in place of August Bernasky. Office became third class January 1, 1925.

MASSACHUSETTS

Elizabeth C. Kelley to be postmaster at Thorndike, Mass., in place of K. T. Loftus, resigned.

MINNESOTA

E. Arthur Hanson to be postmaster at Benson, Minn., in place of W. E. Lawson. Incumbent's commission expired June 5, 1924.

NEBRASKA

John A. Gibson to be postmaster at Mullen, Nebr., in place of E. C. Pickett. Incumbent's commission expired June 4, 1924.

Charles H. Kuhns to be postmaster at Maxwell, Nebr., in place of C. H. Kuhns. Incumbent's commission expired April 9, 1924.

NEW JERSEY

Edward W. Walker to be postmaster at Cranbury, N. J., in place of E. W. Walker. Incumbent's commission expired September 10, 1923.

NEW MEXICO

Cristobal J. Quintana to be postmaster at Taos, N. Mex., in place of Antonio Martinez, removed.

NEW YORK

John J. Kiely to be postmaster at New York, N. Y., in place of E. M. Morgan, deceased.

Grace Davies to be postmaster at Lake Kushaqua, N. Y., in place of D. M. Smylie, deceased.

OHIO

Lora Bloomfield to be postmaster at East Columbus, Ohio, in place of Lora Bloomfield. Office became third class July 1, 1924.

OKLAHOMA

William A. Johnson to be postmaster at Cromwell, Okla., in place of W. A. Johnson. Office became third class October 1, 1924.

PENNSYLVANIA

Fred L. White to be postmaster at Great Bend, Pa., in place of F. E. Burke, deceased.

TEXAS

William L. Turner to be postmaster Brownwood, Tex., in place of D. F. Johnson, deceased.

Charles P. J. Ledwidge to be postmaster at Beaumont, Tex., in place of A. B. Seale. Incumbent's commission expired June 4, 1924.

WISCONSIN

Fred Hennig to be postmaster at Bowler, Wis., in place of Fred Hennig. Office became third class July 1, 1923.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 17 (legislative day of January 15), 1925

UNITED STATES DISTRICT JUDGE

Isaac M. Meekins to be United States district judge, eastern district of North Carolina.

POSTMASTERS

MISSOURI

William E. Morton, Kansas City.

NEVADA

Charles W. Brown, Gardnerville.

Erwin E. Frost, Golconda.

Julia G. Pangburn, Jarbridge.

NORTH CAROLINA

Lorenzo D. Maney, Biltmore.

TENNESSEE

May L. Hayes, Lynchburg.

HOUSE OF REPRESENTATIVES

SATURDAY, January 17, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, Thou art a God of infinite estate. May we allow nothing to break down our faith or disrupt our hope in Thee. Thou art the source of all that is pure and good. O Thou who dost preside over time and life supply us with knowledge and wisdom that our lives may be full of usefulness. How vain and impoverished our longings and visions without Thee. Temper our wills, harmonize our thoughts, and restrain our affections. Bless all institutions that express and promote the ideals of our Republic, especially those that train the ignorant and succor the poor. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested.

S. 3643. An act authorizing the construction of a bridge across the Ohio River between the municipalities of Ambridge and Woodlawn, Beaver County, Pa.

SENATE BILL REFERRED

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its proper committee, as indicated below:

S. 3493. An act to amend an act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922, as amended February 28, 1923; to the Committee on Ways and Means.

MUSCLE SHOALS

Mr. McKENZIE. Mr. Speaker, I desire to submit a unanimous-consent request. I ask unanimous consent to take the bill H. R. 518 from the Speaker's table, to disagree to the Senate amendments, and ask for a conference.